

May 28, 2021

Comment Response Document

March 21, 2019 PA Department of Environmental Protection Public Hearing for the Rolling Hills Landfill Southern Area Expansion Application

Pages 1-21 provides a summary of comments from the March 21, 2019 public hearing, as well as comments from correspondence and emails that were submitted for the public hearing record. The responses to very similar comments are combined, and numbered accordingly in the right column of the summary of comments. For response to comments, see page 22.

If you have any questions, please contact:

John L. Oren

John L. Oren, P.E.

Permitting Section Chief

Waste Management Program

PA Department of Environmental Protection

Southcentral Regional Office

joren@pa.gov

717.705.4907

| | | <i>Responses provided at the end of the document</i> | |
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| Name: | Pages from hearing document: | Comment: | Response number: |
| Paul Stengle | 7-13 | <p>-Seems unreasonable that a business would need to address local community concerns over traffic if they are using state roads. Unreasonable to limit the operation of Rolling Hills Landfill due to traffic concerns.</p> <p>-Cannot determine a harm (from Rolling Hills Landfill) for truck traffic in Boyertown and Oley.</p> <p>- Cannot base approval of what the landfill looks like from another township.</p> <p>-The benefits of Rolling Hills Landfill to Earl Township outweigh the harm of having Rolling Hills Landfill in the community.</p> <p>-Unfairness if DEP requires the Delaware Solid Waste Authority to pay tipping fees to other communities that transport trash and ash on state roads.</p> <p>- Odor problem at Rolling Hills landfill - capping of the landfill and new gas wells have fixed the problem, also 20 inches of rain last year.</p> <p>- If the odor problem would not be resolved, believes that neither Earl Township, nor the Rolling Hills Citizen Advisory Council would approve the expansion</p> <p>-Should approve the landfill expansion.</p> | <p>1.</p> <p>1.</p> <p>3.</p> <p>10.</p> <p>2.</p> <p>2.</p> |
| Frank Deery | 13-20 | <p>-Thirty percent of the heavy vehicle traffic passing through Boyertown's borough's main street at peak hours of heavy vehicle traffic is associated with the Rolling Hills Landfill. Issuance of a permit will frustrate downtown revitalization. Expansion will extend the life of the landfill by 10.4 years.</p> <p>-Required off site soil and aggregate for construction of the landfill will require the equivalent of an average of 63 trucks per day or 6.3 trucks per hour.</p> <p>- Combining construction vehicles, waste hauling trucks and leachate hauling trucks with return trips equals up to 1,000 trucks passing through the borough of Boyertown.</p> <p>-Boyertown and the DCSWA have both considered alternatives to trucking waste through the Borough to Rolling Hills Landfill, including rail service and alternative vehicle routes; however at the present time there is no viable alternative to trucking waste through the Borough to the landfill.</p> | <p>1.</p> <p>1.</p> <p>1.</p> <p>5.</p> |

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| | | -Weighing the transportation needs of the Rolling Hills Landfill against the negative effects of heavy vehicle traffic on the Borough, the DEP should require as a condition of the payment of an impact mitigation fee. | 1. |
| Joseph Vastoria | 20-23 | <ul style="list-style-type: none"> -The Solid Waste Authority agrees to pay host fees to Berks County and Earl Township. - There are no taxes paid by Earl Township residents due to host fees paid by the Delaware county Solid Waste Authority. -Salaries and benefits for the employees total approximately \$1,800,000 per year. -In 2018 Berks County residential, commercial and industrial trash accounted for 51 percent of the trash (non ash) accepted in the landfill, 19 percent of the total received. - Thirty five percent of the total loads received at the landfill are from Berks County. -The vertical expansion will be withing the limits of the existing permit area. - There will not be an increase in the existing permit of maximum elevation of 884 feet. -There will be no increase in truck traffic hauling municipal solid waste into the landfill. -Expansion to fulfill the needs to dispose of the municipal solid waste at the same rates. -Hope to meet with the Borough of Boyertown. - Will try to mitigate staging of leachate trucks. | no comments by DEP |
| George Grosser | 24 | <ul style="list-style-type: none"> -Only concern is the odor that we have been experiencing. Believe it has not been resolved because I could smell it today, and it does get so bad that we can't be even in our backyards. -Should not be allowed to expand until they can prove they can handle this problem and take care of it. | 2. 2. |

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| <p>Commissioner Mark Scott, esq.</p> | <p>24- 32</p> | <p>-Berks County is currently in litigation with Delaware County, the County’s legal position is that this is a lateral expansion of the landfill precluded by the 1989 contract that requires our prior written consent, which consent has not been provided to date.</p> <p>-The proposed expansion of Rolling Hills Landfill must be evaluated against the backdrop of excess disposal capacity that has plagued Berks County for years.</p> <p>-Upon the enactment of Act 101 in 1988, Berks County was host of five landfills....provided more than 10 times the permitted daily capacity necessary to accommodate the county’s own relatively modest disposal requirements.</p> <p>- Berks county negotiated capacity agreements with the landfills in Berks County- put in place to protect the public and obtain the required disposal capacity (for Berks County).</p> <p>- Berks County established a disposal agreement with Delaware County by the Disposable Services Agreement of October 12, 1989.</p> <p>-Berks County Solid Waste Management Plan-Section 3.02-B1- “DCSWA shall not undertake any further lateral expansion without prior written consent” (of Berks County).</p> <p>-The application is a breach of contract between the two parties.</p> <p>-Berks County has exercised it’s hard earned right to put an end to Rolling Hills Landfill. The Department should honor and uphold that contractual right as it was part and parcel of a farsighted Department to approve a waste planning effort.</p> | <p>4.</p> <p>4.</p> <p>4.</p> <p>4.</p> <p>4.</p> <p>4.</p> <p>4.</p> <p>4.</p> <p>4.</p> |
| <p>Kathy Coker</p> | <p>32- 34</p> | <p>The Landfill is an eyesore to everyone in Oley Township.</p> <p>-All you have to do is drive down 662, and its blaring.</p> <p>-Citizens of Oley township do not want it.</p> <p>-It’s an eyesore.</p> <p>- Money should be put towards recycling or conversion of trash to energy through incineration.</p> <p>-Land was taken through eminent domain, should be shut down, its time Delaware County be responsible for its own waste in Delaware County, not Berks.</p> | <p>3.</p> <p>10.</p> |
| <p>Frank Morgan</p> | <p>36- 39</p> | <p>-Property and business owner in Earl Township.</p> <p>-Had to do a \$35,000 construction project with a building in Boyertown because of truck traffic and vibration.</p> <p>-Odor is why the landfill should not expand.</p> <p>-The eyesore is an issue.</p> <p>-Children at the Earl Township Elementary School are smelling the landfill.</p> | <p>1.</p> <p>2.</p> <p>3.</p> |

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| | | -There is also a truck issue. -The benefits have to clearly outweigh the harms (the odor outweighs other benefits). | 2. 1. 12. |
| Jeffrey A. Spatz | 39-40 | -Need to consider comments from Oley Township Residents. | Yes, DEP considers all comments |
| James Coker | 40-43 | -Oley Township residents have had to put up with the sight and smell of the landfill. Need to refuse the landfill permit. | 2. 3. |
| Jeffrey Sweinhart | 41-42 | -Own property one mile north of the intersection of 662 and Route 552. The property today is worth half of its value than it would have been 30 years ago, and it's all because of the view and sight of that landfill growing on the hillside. -It's sad and pathetic that Berks County and DEP would consider allowing Philadelphia county, the city of Philadelphia to dump their waste on Berks County. -We have to live with the long term effects of the landfill. -This is about the residents of Berks County not Philadelphia. -Berks County has enough landfills already. | 3. 9. 8. 9. 9. |
| Correspondence | and | Comments submitted as part of the public hearing: | |

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| <p>Building a better Boyertown presents concerns regarding the Rolling Hills Landfill Expansion Correspondence: Building a better Boyertown, April 2, 2019, signed John Lea, Adrienne Blank</p> | <ul style="list-style-type: none"> -Trucks from Rolling Hills landfill represent 30% of the heavy vehicle traffic passing through the Borough's main streets during peak hours. -Application requests permission to increase permitted landfill bound soil and aggregate related traffic from 200 to 354 one way truck trips per day, which coupled with ash and leachate trucks, will increase the total number of trucks that travel through Boyertown's city center from 466 to 620 on way truck trips per day. Counting the return trip, that will amount to 1240 roundtrips every day, a daily increase of over 300 roundtrips. - Negative impacts to the walkable community. -Concern that comments from a previous application cannot be applied to the current expansion application. -Negative impacts to the tourism industry in Boyertown from truck traffic. -Boyertown has made significant investments for future tourism as well as three million in private investment, significant public funds and volunteer hours. Conditions will be made worse if the permit is granted. -Clime Co's modeling concludes that Rolling Hills is a very high contributor to the vehicle emissions in Boyertown which are nearly already exceeding the PM-10 National Ambient Quality Standard (due to diesel exhaust emissions from trucks). The model's results are likely to be even higher if the Authority's latest permit application is granted and even more heavy diesel trucks are added. -Landfill bound traffic has also caused damage (1) to historic store-fronts and homes constructed right up against the routes that PADEP has authorized landfill bound traffic to use when traveling through Boyertown, (2) to underground utilities within the rights-of-way of East Philadelphia and North Reading Avenues, and (3) to vehicles legally parked along East Philadelphia and North Reading Avenues, with cart paths that are too narrow for and were not engineered for the nature and volume of such traffic. -Berks County's Disposal Agreement with the Authority provides that the Authority's pending major permit modification application is subject to and cannot be granted without affirmative approval by the Berks County Commissioners. - A petition that generated 1,820 signatures, which is being submitted along with this letter, suggests there is widespread community support in Boyertown behind efforts to condition permit approval upon finding an alternative transportation route to the landfill. In particular, we encourage the Department to condition | <p>1.</p> <p>1.</p> <p>1.</p> <p>10.</p> <p>1.</p> <p>1.</p> <p>1.</p> <p>1.</p> <p>1.</p> <p>1.</p> <p>1.</p> <p>6.</p> <p>4.</p> |
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| | | approval on the use of local rail infrastructure as the preferred alternative to a presently unsustainable means of transporting ash. The Colebrookdale Railroad has the capacity to provide the required transportation infrastructure. | 5. |
| Correspondence: Berks County Community Foundation Berks County Commissioner Kevin S. Barnhart February 20, 2018- | | -Berks County Community Foundation provided a \$2.5 million grant to improve the quality of life in Boyertown. Concerned with the impact the proposed expansion of the DCSWA Landfill will have on the quality of life and economic health of Boyertown. | 1. |
| Correspondence: Berks County Commissioner Chairman Christian Y. Leinbach, February 20, 2018 | | -The DCSWA has operated for 30 years casing the trucks to cause traffic congestion, noise and pollution. This has adversely affected the quality of life in Boyertown and the downtown business climate. | 1. |
| Correspondence: Mark C. Scott, Esq. February 20, 2018 Signed: Kevin Murphy | | -Boyertown has made significant investments in its future as a tourism destination, and truck traffic is antithetical to this future. | 1. |
| Correspondence: Commissioners of the County of Delaware February 20, 2018 Signed: Kevin Murphy | | -Encourage DCSWA to collaborate with the Colebrookdale Railroad to transload ash. This will remove trucks from highways around Boyertown and through Boyertown's downtown protecting the residential quality of life and downtown business climate. | 5. |
| Correspondence: PA DEP Department Headquarters | | -Berks County Community Foundation provided a \$2.5 million grant to improve the quality of life in Boyertown. Concerned with the impact the proposed expansion of the DCSWA Landfill will have on the quality of life and economic health of Boyertown. | 1. |
| | | -The DCSWA has operated for 30 years with the landfill trucks causing traffic congestion, noise and pollution. This has adversely affected the quality of life in Boyertown and the downtown business climate. | 1. |
| | | -Boyertown has made significant investments in its future as a tourism destination, and truck traffic is antithetical to this future. | 1. |
| | | -Encourage DCSWA to collaborate with the Colebrookdale Railroad to transload ash. This will | 5. |

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| <p>Head Quarters, February 20, 2018, Signed Kevin Murphy</p> | | <p>remove trucks from highways around Boyertown and through Boyertown’s downtown protecting the residential quality of life and downtown business climate.</p> | |
| <p>Correspondence: Berks County Community Foundation February 20, 2018 Signed: Kevin Murphy</p> | | <p>-The DCSWA has operated the facility for nearly three decades, and the trucks cause traffic congestion, noise and pollution. There has been a significant investment in tourism.</p> <p>-Encourage DCSWA to collaborate with the Colebrook Railroad, as the railroad is capable to haul this traffic and assist in planning and developing infrastructure.</p> | <p>1. 5.</p> |
| <p>Correspondence: The Honorable Bob Mensch 24th District Senate of Pennsylvania, February 20, 2018</p> | | <p>-Building a better Boyertown is strongly investing in the future of Boyertown, and committed to protecting the economic interest and quality of life for people who reside in the area.</p> <p>-Ask that solutions are researched to mitigate the burdens of the waste disposal on the population.</p> <p>-DCSWA’s facility has operated for nearly 30 years and the ash-bearing trucks cause traffic congestion, noise and pollution. This traffic has adversely affected the quality of life for the residents and the downtown business climate in Boyertown. The truck traffic to the landfill is antithetical to the investment in tourism.</p> <p>- Support DSCWA to collaborate with the Colebrook Railroad to haul the ash.</p> | <p>1. 1. 1. 5.</p> |
| <p>Correspondence: Boyd & Karver, February 23, 2018 John Karver</p> | | <p>-At the intersection of 73 and 562 in Boyertown the office has to deal with noise and dirt as a result of truck traffic.</p> <p>-When trucks are required to stop or accelerate, there is soot generated (from trucks) which significantly effects the appearance of the exterior of their building.</p> <p>-Strongly encourage other methods of transportation.</p> | <p>1. 1. 5.</p> |
| <p>Correspondence: Dancing tree Creations, Lyn Camella-Rich</p> | | <p>-It is imperative that the landfill expansion not be granted without finding an alternative route other than through our historic town for over the 100 trash truck trips.</p> <p>-Long term solution is to hopefully use the railroad for trash and freight transport.</p> | <p>1. 5.</p> |

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| <p>Correspondence: The honorable David M. Maloney Sr. State Representative 130th Legislative District March 6, 2018</p> | | <p>-It is the hope that a mutual agreement can be achieved, where the expansion of the Delaware County Landfill is possible yet the effects of heavy truck traffic in Boyertown can be reduced or eliminated</p> <p>-Alternative methods of transportation need to be evaluated.</p> | <p>1.</p> <p>5.</p> |
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| <p>Correspondence: Davidheiser Insurance & Financial Services, March 13, 2018, E. Michael Davidheiser</p> | | <ul style="list-style-type: none"> -Ash trucks cause traffic congestion, noise and pollution. -Route 73 through Boyertown was not constructed or intended for this type of traffic volume. -Customers cars have been hit. -Encourage DCSWA to collaborate with the Colebrookdale Railroad to transport ash. | <p>1. 1. 1. 5.</p> |
| <p>Correspondence: Firefly Café and Outpost April 11, 2018 Loriann Wade and Michael Martinez</p> | | <ul style="list-style-type: none"> - Outdoor dining often goes unused and customer complaints of excessive noise and exhaust in the air due to trucks. -Landfill trucks through Boyertown have adversely affected the quality of life for residents and business residents for too long. -Encourage DCSWA to collaborate with the Colebrook Railroad for waste transportation. | <p>1. 1. 5.</p> |
| <p>Correspondence: The Borough of Boyertown March 14, 2018 Frank J. Deery</p> | | <ul style="list-style-type: none"> -Statistics obtained indicated 100 trucks traveling to the landfill travel on route 73 through the Borough of Boyertown and return through the Borough of Boyertown. - This excessive traffic adversely impacted the businesses and residents in the downtown area. -There is noise, pollution, and traffic congestion created by the excessive volume of landfill traffic. - Boyertown is a tourism destination. The Colebrook Railroad brings thousands of visitors to the Borough annually. -Requests that the traffic be re-routed. -Supportive of a collaboration between DCSWA and the Colebrookdale railroad to transload the ash. | <p>1. 1. 1. 5. 5.</p> |
| <p>Correspondence: Berks County Commissioners, Fregon Farms February 23, 2018 Henry L. Fregon Mary Therese Fregon Steven P. Fregon Henry L. Fregon III Joshua D. Smith Continued: Jennifer M. Fregon-Smith</p> | | <ul style="list-style-type: none"> -The DCSWA has operated for nearly 30 years and has had considerable numbers of trucks navigate their way through Boyertown. Trucks cause traffic congestion, create noise and pollution in the Boyertown community. This has adversely affected the quality of life for the local businesses and residents of Boyertown for far too long. - Strongly ask and recommend that the DCSWA expansion application be denied. - If the expansion is granted, strongly encourage alternative truck routes and work with the Colebrookdale Railroad. | <p>1. 5.</p> |

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| Therese J. Frecon | | | 1. |
| Correspondence: Horological Services, May 3, 2018 Mark and Theresa Heist | | -Owners of a circa 1870's historic building. -The adjacent workshop to the business is a workshop to restore high grade, complicated antique or vintage timepieces. -Trucks cause the building to shake, must stop work momentarily. Machining to a tolerance of one ten thousandth of an inch (.0001) has to be done without the immediate passing of trucks -Have had the expense of replacing cracked bricks in front porch. -Trucks are dangerous for customers as well as cars traveling on Philadelphia. -Strongly support alternative methods and routes of truck transportation. -Since the landfill is about full it should be closed. | 1. 1. 1. 1. 1. |
| Correspondence: The Honorable John C. Rafferty, Jr., Senate of Pennsylvania, 44 th District, March 14, 2018 | | -Boyertown and other local communities have concerns regarding the potential increase in traffic and congestion in this area. -Supports the Colebrookdale Railroad in their interest in working with DCSWA to come up with possible rail transportation solutions to this ongoing issue. -Supports a reasonable safe solution that all may agree on. | 1. 5. |
| Correspondence writing from: Building a Better Boyertown To: Commissioner of the County of Delaware; Berks County Commissioners Office; Pa Dept of Environmental Protection Headquarters; Delaware County Solid Waste Authority; February 26, 2018. Signed: | | -Building A Better Boyertown is concerned with the impact the proposed expansion of the Delaware County Landfill in Earl Township will have on the quality of life and economic health of Boyertown. -The DCSWA has operated for nearly 30 years, requiring dozens of trash trucks per day to navigate through Boyertown and traveling through historic neighborhoods. The trucks cause congestion, noise and pollution. -Significant investments have been made in Boyertown's future as a tourism destination. The downtown economy will be increasingly based on tourism. -Encourage DCSWA to collaborate with the Colebrook railroad to transload the ash. This will also create jobs. Expansion should be conditioned on the use of rail to ship ash. | 1. 1. 1. 5. 1. |

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| <p>Continued: Hilberts Jukebox café, Ltd, February 26, 2018 Sandra Hilbert; Correspondence: Remax Achievers Inc. , March 7, 2018 Kim Welch Correspondence to: Delaware County Solid Waste Authority, February 9, 2018 Adrian Blank, RLA ; Allen Steffy</p> | | | <p>1. 5.</p> |
| <p>Correspondence: The Borough of Boyertown addressed to: Leslie S. Richards Secretary of Transportation. April 3, 2018; Mr. David Richard, PA DEP Waste Management Program, April 9, 2018; Delaware County Solid Waste Authority, April 9, 2018; Berks County Commissioners, Continued: April 9, 2018 ; Delaware County Commissioners, April 9, 2018; Marianne V. Deery Mayor</p> | | <p>-If DCSWA is successful in receiving the expansion, there would be 500 trucks per day, and 500 trucks on the return and that is seven days a week, from 6:30 am to 8 pm. -Concerned about the health for our community, air we breathe, noise levels, even the trees are covered with soot. -Concerned about the safety of our residents- Children and elderly have a challenge just crossing the streets, streets are not wide enough to accommodate trucks in opposite directions, car mirrors are constantly being damaged by truck traffic. -Concerned about the merchants, Boyertown was awarded a large grant designated to tourism. The truck traffic definitely hampers and impedes business investment and growth. -Concerned for the beautiful architecture, exterior of building gets covered with soot, and the interior accumulate a lot of dust, vibration affects the structure of the buildings. -If the truck traffic cannot be mitigated, DCSWA should be denied expansion of the Rolling Hills Landfill.</p> | <p>1. 1. 1. 1. 1. 1.</p> |

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| Borough of Boyertown | | | |
| Correspondence: GRCA Greater Reading Chamber Alliance, February 20, 2018, Randolph Peers | | <ul style="list-style-type: none"> -GRCA has participated in planning and outreach for the Borough of Boyertown projects. -Need to evaluate the impact on Boyertown from the expansion as Boyertown has suffered from loss of industry and retail core, yet poised to become a clear tourist destination. -The dozens of trucks going through Boyertown are just as significant or more as compared to detrimental effects to the host community. -The numerous trucks going through Boyertown mars the ability of residents and visitors to enjoy the wonderful amenities Boyertown has to offer. - Encourage that the use of rail to ship the ash. | <p>1.</p> <p>1.</p> <p>1.</p> <p>5.</p> |
| Correspondence: Reading For 100, June 5, 2018, Stephanie J. Anderson and Pam McIntyre | | <ul style="list-style-type: none"> -There should be significant mitigations (to harms). -Ash bearing trucks cause traffic congestion, noise and pollution. -Landfill bound trucks have affected the quality of life for residents and downtown businesses. Truck traffic will negatively affect tourism. -Strongly encourage that the expansion of the landfill be conditioned on the use of rail to ship ash. | <p>12.</p> <p>1.</p> <p>1.</p> <p>5.</p> |
| Correspondence: Colebrookdale Railroad, March 2, 2018, Nathaniel Guest | | <ul style="list-style-type: none"> -The railroad can haul ash, there are not physical or regulatory impediments. -Have a federally mandated obligation to haul the ash if it is requested of us. -Hauling of ash will not jeopardize the tourism, and the long-term viability of the railroad requires hauling both freight and tourist passengers. -Feasibility study being done, decision to ship by rail rests entirely with the potential shipper. | <p>5.</p> <p>5.</p> <p>5.</p> <p>5.</p> |
| Correspondence: The Honorable Judith L. Schwank, Senate of Pennsylvania 11 th district, March 2, 2018 , Judith L. Schwank | | <ul style="list-style-type: none"> -The landfill will continue for 17 years if the expansion is granted, and Boyertown will be forced to endure nearly two more decades of noise. -Pollution, and road damage is associated with heavy truck traffic and to a lesser extent Oley Township. -Traffic must be analyzed and mitigation methods must be explored. - Alternative transportation such as rail or alternative traffic routes should be implemented. -Concerned about the environmental impacts of the landfill, long and short term, already have 4 landfills operating. -Joined with opposing the proposed vertical expansion four years ago as this would have had a negative effect on Oley Township. | <p>1.</p> <p>5.</p> <p>1.</p> <p>1.</p> |

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| | | <ul style="list-style-type: none"> -The proposed expansion will have at least some less desirable visual impact on Oley Valley. - If these concerns cannot be adequately addressed, then the permit modification should not be approved. | 3. |
| Correspondence: Pennsylvania's Americana Region, March 6, 2021, Crystal A. Seitz | | <ul style="list-style-type: none"> -Concerned about the transportation of ash by truck through Boyertown's downtown region. -Tourism and revitalization could lead to millions of dollars of economic impact annually. -Part of the attraction of main street is the walkability, businesses representing art, culture, history, retail and restaurants. Trucks using main street does not lend itself to this type of experience. -Heavy truck vibration can cause significant damage to historic buildings. -Even more important and frightening, the community (visitors, residents, elderly, children) are put in significant harm's way when trucks travel the narrow streets. -Even crossing the main street becomes a very scary situation for pedestrians. - Building a Better Boyertown and Pennsylvania's Americana Region encourage DCSWA to collaborate with the Colebrookdale Railroad to transport ash and remove the trucks from the highways and through Boyertown's downtown to protect the quality of life in Boyertown and the downtown business climate. | 1. 1. 1. 1. 1. 1. 5. |
| Correspondence: R.T. Brown & Company, P.C., February 28, Continued: 2018, Tina Delorey Brown | | <ul style="list-style-type: none"> -Building A Better Boyertown is concerned with the impact the proposed expansion of the Delaware County Landfill in Earl Township will have on the quality of life and economic health of Boyertown. -The DCSWA has operated for nearly 30 years, requiring dozens of trash trucks per day to navigate through Boyertown and traveling through historic neighborhoods. -The trucks cause congestion, noise and pollution. -Significant investments have been made in Boyertown's future destination as a tourism destination. The downtown economy will be increasingly based on tourism. -Encourage DCSWA to collaborate with the Colebrook railroad to transload the ash. This will also create jobs. Expansion should be conditioned on the use of rail to ship ash. | 1. 1. 1. 1. 1. |
| Correspondence: The Honorable Marcy Toepel, Commonwealth of PA House of Representatives, 147 Legislative | | <ul style="list-style-type: none"> -The proposed DCSWA landfill expansion will have a significant increase in truck traffic traveling through the Boyertown region to reach the landfill. -The continued economic development of the Boyertown region will be adversely impacted by the significant increases in truck traffic headed to the landfill. | 1. 1. 5. |

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| <p>district, February 22, 2018, Mary Toepel.</p> | | <p>-Encourage DCSWA to consider rail as one option for reducing traffic volume and congestion on the Boyertown area roadways.</p> | |
| <p>Correspondence: Thomas J. Gosse, February 28, 2018</p> | | <p>-BB&T Bank and the Berks County Community Foundation building a Better Boyertown was recently given, and given access to, large sums of money to execute a “Transformational Strategy” for the borough. -The future of Boyertown is dependent on tourism and infrastructure improvements, and the success of this predicated on the promise and delivery of “Walkable” Streets. The current volume of truck traffic excludes both of these goals. -For 30 years the trucks from the landfill have gone through Boyertown causing structural damage to homes, offices and stores with no compensation. -Respectfully ask that you demand an alternate means of transporting the ash or routing the trucks off of our streets and out of the Borough of Boyertown. -Railroad transport is the beneficial and least harmful way to transport ash.</p> | <p>1. 1. 1. 5. 5.</p> |
| <p>Correspondence: The Twin Turrets Inn, March 8, Continued: 2018, Marianne V. Deery</p> | | <p>-The Twin Turrets Inn is a historic building which has seen guests from all over the world. The building is seeing the wear and tear from the constant trucks leading up to the landfill. The streets and trees suffer. The traffic affects all merchants. -Boyertown has received a substantial grant for tourism and the truck traffic is antithetical to our future. -The landfill has operated for nearly 30 and see no need to increase it’s capacity. -Truck traffic should not be denying our future.</p> | <p>1. 1. 1.</p> |
| <p>Correspondence: Richard A Zuber Realty, March 8, 2018, Richard A. Zuber</p> | | <p>Writing from Building A Better Boyertown: -Concerned with the impact the proposed expansion of the Delaware County Landfill in Earl Township will have on the quality of life and economic health of Boyertown. -The DCSWA has operated for nearly 30 years, requiring dozens of trash trucks per day to navigate through Boyertown and traveling through historic neighborhoods. The trucks cause congestion, noise and pollution. -Significant investments have been made in Boyertown’s future destination as a tourism destination. The downtown economy will be increasingly based on tourism. -Encourage DCSWA to collaborate with the Colebrookdale railroad to transload the ash. This will also create jobs</p> | <p>1. 1. 1. 5.</p> |

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| | | -Expansion should be conditioned on the use of rail to ship ash. | |
| Petition: Change.org, Building a Better Boyertown | | -Concerned with the impact the proposed expansion of the Delaware County Landfill in Earl Township will have on the quality of life and economic health of Boyertown -The DCSWA has operated for nearly 30 years, requiring dozens of trash trucks per day to navigate through Boyertown and traveling through historic neighborhoods. The trucks cause congestion, noise and pollution. -Significant investments have been made in Boyertown's future destination as a tourism destination. The downtown economy will be increasingly based on tourism. -Encourage DCSWA to collaborate with the Colebrookdale railroad to transload the ash. This will also create jobs. Expansion should be conditioned on the use of rail to ship ash. | 1. 1. 1. 5. |
| Correspondence: John W. Lea, March 28, 2019 | | -According to a recent traffic study, at least 30 % of that traffic is directly attributed to the traffic going to and returning from Rolling Hills Landfill. -Safety concern for drivers, pedestrians, cyclists, students, children and the disabled. Trucks create noise and odors, noxious fumes. Cause vibration which damages the historic structures and infrastructure along Philadelphia Avenue. The two-way truck traffic is an incompatible use of the narrow streets. It is a deterrent to new business and a drag on existing business. It is unhealthy, dangerous, and disruptive to the economy of Boyertown -Funding has been obtained to increase tourism. The effort to promote tourism and enhance the walkability of the borough is practically thwarted by the constant noise, smell, and fumes of the endless caravan of ash trucks headed towards Rolling Hills. - A feasibility study indicates that transporting ash is both competitively priced and feasible to accomplish. DCSWA should be required to ship by rail or the application for expansion should be denied. | 1. 1. 1. 5. |
| Correspondence William E. Flederbach, JR., March 31, 2019 | | -The volume of traffic bound for Rolling Hills Landfill belongs in a heavy industrial district, not traveling through small little Boyertown's city center hundreds of times each day. -Sheer volume of landfill bound traffic makes the recruitment and retention of business tenants a challenge. | 1. 1. 1. |

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| | <ul style="list-style-type: none"> -Diesel exhaust, air brakes, and loud noise of hard combustion diesel engines, are all incompatible with any outdoor dining experience. -Tenants are forced to incur the expense of phone systems that mute-out background noise and the need to position conference rooms and meeting spaces away from building entrances. -Landlords are forced to incur the expense of frequent painting and pressure washing of building exteriors due to diesel particulate matter and deposition of landfill bound ash that becomes airborne. -Fine particulate matter from diesel exhaust creeps through storm windows. -With construction vehicles bound for Rolling Hills Landfill there can be a daily increase of over 300 roundtrips. -Ask that the grant of the expansion would be conditioned that the ash can be shipped by rail. | <p>1.</p> <p>1.</p> <p>1.</p> <p>1.</p> <p>5.</p> |
| <p>Correspondence: Oley Township Board of Supervisors, April 2, 1019, Jeffrey A. Spatz</p> | <ul style="list-style-type: none"> -Oley Township wants the landfill to close as soon as it reaches capacity. -Oley Township has the designation of being on the National Register of Historic Places. Because of the landfill proximity to Oley Township, the proposed expansion would only serve to detract from the historic character of Oley Township. -The lateral expansion of the Landfill will permanently enlarge the view scape from Oley Township and significantly reduce the values of properties that have visibility of the Landfill. -Residents have had to endure the noise, pollution, and heavy truck traffic associated with the current operation. Any expansion of the Landfill would only serve to extend these annoyances. -The landfill concedes that it has a significant odor problem. -The proposed landfill berms will require an additional 63 truckloads of dirt per day, six days a week, for 10 years. A conservative estimate is that 20 trash trucks per day go through Oley Township. -While DCSWA argues the expansion is not lateral, the berm itself constitutes a lateral expansion and is a violation of its contract with Berks County dated October 12, 1989. -Until the Berks County Lawsuit is resolved we respectfully request that DEP suspend any further action on the subject application. -Recognize there are local jobs and tipping fees that are a significant benefit to Earl Township. | <p>1., 3.</p> <p>3.</p> <p>1.</p> <p>2.</p> <p>1.</p> <p>4.</p> <p>4.</p> |

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| | | <p>-Biggest benefit is to the residents of the DCSWA and owners of the DCSWA.</p> <p>-Harms are now being endured by thousands of local Berks County residents on a daily basis including noxious odors, heavy truck traffic and scenic spoilage; time for landfill to close.</p> | 1., 3, |
| Correspondence: Colebrookdale Railroad Preservation trust, March 31, 2019, Nathaniel Guest | | <p>-“The Eastern Berks Gateway Railroad is a wholly owned subsidiary 501(c) (3) non-profit, and operates as a handling carrier short line for Norfolk Southern, serving two terminals in Pottstown and Boyertown. There are two trans-load yards with highway access. As a common carrier we have a federally mandated obligation to haul any requested commodity. There are no physical or regulatory impediments preventing the Eastern Berks Gateway Railroad from serving as the common carrier for the Authority’s ash, and using railheads at transfer stations to transport waste to municipal waste landfills has proven successful in many similarly situated communities.”</p> <p>-The Berks County Redevelopment Authority commissioned a feasibility study to assess whether use of the Eastern Berks Gateway Railroad to trans-load ash to the Rolling Hills Landfill could be an economically viable alternative to the current exclusive use of highway based transit.</p> | 5. 5. |
| Petition, signed by 9 individuals, April 3, 2019 | | <p>-The public hearing was poorly advertised.</p> <p>-Obnoxious odor that can be smelled on Spangsville Road in Oley Township.</p> <p>-Farmers of land directly below the Rolling Hills Landfill, are concerned about future runoff and pollution caused by this operation.</p> <p>-Not in favor of the view of the Oley Hills area being further destroyed by an expansion past what the current permit allows.</p> | 2. 6. 7., 8. 3. |
| Correspondence: Taylor banks, received April 1, 2019, William Dexter | | <p>-The perpetual river of trash hauling trucks that parade through Main Street have become a physical detriment to Boyertown. Physically, the trucks cause harm to the buildings on Philadelphia Avenue with vibration and exhaust smoke. They present a threat to parked cars, regular traffic flow, and more importantly to pedestrians.</p> <p>-Aesthetically, trash trucks create dust and occasionally debris can be seen flying out of the containers they are hauling.</p> <p>-Customers complain about the excessive truck traffic.</p> <p>-Deny the application or at the very least consider creating alternative routes to the landfill.</p> | 1. 3. 1., 5. |

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| <p>Kathy Coker, April 2, 2019, comments to be added to the Public Hearing</p> | <p>-Several Areas of concern. -Air quality; The landfill drives people indoors due to odors, children at Earl Elementary School are also affected. -Historical impact: Oley Township is only one of two townships in the nation listed on the National Register of Historic Places. The landfill is an eyesore to Oley Township -Environmental Impact: This alone is the reason the landfill should be denied. Leachate must be hauled away, leachate trucks are waiting before 7:00 a.m. to enter the landfill to collect leachate. -Social impact: Oley residents have not been publicly vocal, talked with dozens of farms and countless residents and not one person wants the landfill. -All of these four issues will continue to be negative effects for many years, even after the landfill closes.</p> | <p>2. 3. 7., 8.,12. 12.</p> |
| <p>Correspondence: March 29, 2019, Paul Eckert, Nadia Eckert, Julia Eckert</p> | <p>-Toxic waste including mercury, other heavy metals, herbicides, fungicides, pesticides and other organic compounds find their way into the above referenced landfill. -The neurotoxicity and carcinogenic propensity of mercury and other heavy metals alone leaching into the drinking water or reaching the lungs of residents by way of particulate matter is disastrous and unacceptable regardless of what safeguards are or are not in place.</p> | <p>7. 7., 8.</p> |
| <p>Correspondence: Received April 5, 2019 Walkability and It's effects on local real estate</p> | <p>-Building a Better Boyertown: Boyertown and its citizens are asking for the redirection of the trucks as it's important for the community and it's members to be able to enjoy shops and restaurants, along with being able to park on Philadelphia Ave, without the noise and air pollution, and the possibility of losing a side-view mirror or not being able to cross the street due to the large trucks and traffic. -Walkability of our town is vital in order to have our local businesses, shops and restaurants, and ultimately our town as whole, thrive and prosper. -When local businesses and downtown flourish, the real estate value historically increases. -Walkability raises home values, the walkability of cities translates directly into increases in home values. Homes located in more walkable neighborhoods-those with mix of common daily shopping and social destinations within a short distance, command a premium over otherwise similar home in less walkable areas. - Millennials and the Silent Generation prefer walkable communities .</p> | <p>1. 1. 1. 1. 1. 1.</p> |

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| | | <p>-2017 National Community and Transportation Preference Survey, which polled adults from across the U.S. about what they are looking for in a community, found that 62 percent of millennials and 55 percent of the silent generation prefer walkable communities and short commutes, even if it means living in an apartment or townhouse.</p> <p>-According to the survey, the majority of Americans, 53 percent, would prefer to live in communities containing houses with small yards but within easy walking distance of the community's amenities.</p> | 1. |
| Email, April 1, 2019, Greg Gilbert | | <p>-Have lived in this community for 25 years and in that time the landfill has been a non-issue.</p> <p>-New management does not know how to manage the landfill, lives within a few miles of the landfill and the smell is completely unbearable and unacceptable to the residents in this area. Attended a township meeting and the supervisors blames the smell on an unusually wet year. Rain has stopped and the smell has not.</p> <p>-Until they manage the present landfill there should not be an expansion.</p> <p>-When kids cannot go outside for recess because it smells too badly, and folks can't sit outside of their homes, then someone needs to be held accountable.,</p> | 2. 2. 2. |
| Email: March 28, 2019 Karen Houle | | <p>-Truck traffic is a vital concern.</p> <p>-More concerned about the environmental impact of waste being deposited into the landfill and ability to contain the waste in years to come.</p> <p>-Would like to know how water, soil, and air quality in areas adjacent to the landfill are monitored and made available to the public.</p> <p>-Would like to know about any health-related concerns such as the existence of a cancer cluster that may have developed in the area.</p> <p>-Opposed to any further expansion as this area has endured enough with quality of life issues being affected.</p> <p>-Would like information on monitoring and inspections.</p> <p>-Future responsibility of the site beyond the life of the DCSWA.</p> | 7. 8. 7. 8. 11. 8. |
| Email: April 2, 2019, Shannon Antony | | <p>-The truck traffic through the small town is detrimental to the livelihood of the community.</p> <p>-Own a business in Boyertown and a comment I hear from some customers is that they do not want to drive through town, and especially park in town, because of truck traffic.</p> <p>-Most of my customers are older and not comfortable sharing the road with trucks. (narrow corridor)</p> | 1. 1. 1. |

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| | | -My mirror is held on with duct tape because a truck passing by hit it and did not stop to handle the problem. | 1. |
| Correspondence: Waste Management Inc., April 4, 2019, Rafael Carrasco | | -Rolling Hills landfill is a critical part of the waste disposal infrastructure in southeastern Pennsylvania, and the facility provides an important service to the residents and businesses in this region in a safe, clean, and efficient manner. Approving an increase to RHL's disposal capacity will allow the site to continue providing this important benefit to the community into the future. | DEP has no response |
| Baldwin Consulting Group LLC; March 27, 2019, Samuel Donato | | -Rolling Hills Landfill is a small business. The Landfill has twenty-two (22) employees that work at RHL. The employees live in the community and pay taxes, they support local business. -The customers that use the landfill are also small business. They include the companies that collect the trash that ends up on the curb once a week, the builders, remodelers, transfer stations, and contactors who support local commerce and need their jobs. -RHL is focused is focused on compliance every day; and they run an outstanding site. - It's clear that the proposed expansion of the site will continue to provide solid paying jobs for employees, and users of the facility. -The employees, the small businesses that rely on RHL understand that it's not simply a waste disposal site, but a business that provides services and jobs and taxes to the community thus supporting the local economy. | DEP has no response |
| Email: Keystone Engineering Group, March 25, 2019, Andrew C. Hood, P.E. | | -Supports the expansion of the Delaware County Solid Waste Authority Rolling Hills Landfill. | DEP has no response |
| Testimony written comments, March 21, 2019, Joan Jeffries | | -Berks County was provided approximately 1.5 million dollars from the site last year. This money helps keep the County taxes low and fund several programs. -Several businesses in the tri county area do business with this site. If the site closes the businesses will lose that revenue and affect jobs. -If this site closes, where is everyone's trash going? This site has the lowest tip fees in the county. Checked with 3 other sites and this site charges approximately \$20.00 less per ton. Everyone's price for trash removal will increase if the site closes. - Colebrook Railroad has not suffered from the truck traffic. | DEP has no response |

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| | <p>-Boyertown has registered to be part of the state PHMC to be part of the national registry.</p> <p>-PHMC asked about the type of roads going through the town and PHMC has no interest in anything other than the buildings. Trucks will not have an adverse impact on the project.</p> <p>-The site is having odor problems and they are correcting them to the best of their abilities. All landfills are experiencing odor problems, some for the first time.</p> <p>- Earl township receives the following benefits ("<i>may have forgotten some</i>")</p> <ol style="list-style-type: none"> 1) Free trash pickup and disposal 2) Free recycling 3) Free flu shots for all residents including children 4) Free ambulance service for resident of the township if their insurance does not cover the entire amount or if they only pay a portion, Earl Township will pay the balance. 5) Free Y camp program for children of residents or grandchildren of residents for the month of July. 6) No township taxes. 7) On your cable bill there is a place for what is called a Franchise Fee, Earl Township residents do not pay this as Earl Township did not sign a contract to have this fee collected and returned to the township. 8) Earl Township Fire Company gets \$50,000 per year for their truck fund and their building, liability, worker's comp insurance as this is paid for by Early Township. Earl Township fire company also is provided free fuel. One of the best equipped fire companies in the area. The fire company provides a lot of services. 9) Free notary services. 10) Free permits unless you are building a house. 11) Free park pavilions. <p>- If there are complaints with the landfill Joan Jeffries (representing the citizens advisory council) will do her best to resolve the problem.</p> | <p>DEP has no response</p> |
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DEP Response to Testimony and Comments

For background information, the Delaware County Solid Waste Authority (DCSWA) had submitted two applications for the Rolling Hills Southern Area Landfill (RHL). The first application that was administratively complete on February 22, 2018 was withdrawn on September 5, 2018. The application was revised and resubmitted as a new application and was administratively complete on November 29, 2019. The revised new submission expansion area contains a smaller disposal volume and will remain in the current disposal area footprint, and will not exceed the existing current permitted elevation of 884 feet. The landfill will be expanded via construction of a soil berm around a portion of the disposal area. There is not an increase in the volume of waste acceptance rates and no increase in truck traffic hauling municipal solid waste to the landfill.

Response to comments below:

1. Traffic Concerns: Environmental impacts from trucks hauling ash traveling on SR route 73 through Boyertown to the Rolling Hills Landfill.
2. Odor complaints
3. Aesthetics of the Rolling Hills Southern Expansion.
4. Comments regarding Berks County's opposition to the expansion.
5. Comments regarding providing rail service to transport ash to Rolling Hills Landfill.
6. Comments regarding noise pollution.
7. Concerns regarding the ability of Rolling Hills landfill being able to contain the waste without affecting the environment.
8. Concerns regarding how the Rolling Hills Landfill is being monitored for environmental impacts.
9. Need for refuse from Philadelphia to be disposed in Berks County.
10. Concerns that comments from a previous expansion applicant cannot be considered for this expansion.
11. Concern if there are any cancer clusters in the area of Rolling Hills Landfill.
12. Environmental Assessment – Harms Benefit Analysis

1. Traffic Concerns: Environmental impacts from trucks hauling ash traveling on SR route 73 through Boyertown to the Rolling Hills Landfill:

It recognized that truck traffic, as well as other traffic through main street Boyertown Route 73, have and continue to cause environmental impacts and safety considerations. The haul route to Rolling Hills Landfill (RHL) is from route 100 to SR 73 continuing approximately 5 miles through the Borough of Boyertown to Longview to Shenkel road. There is a significant number of concerns from truck traffic that includes noise, vibration, odor, and particulate exhaust. There is concern regarding the adverse effect on downtown business and residents. It was expressed that patrons are unable to sit outside, and businesses have had to move conference rooms to limit the traffic noise. Additionally, safety concerns were expressed with the narrow corridor through Boyertown with two trucks passing, mirrors being broken off, and difficulty parking. The need for safe and easy walkability for Boyertown was noted as an extremely important component for safety for the public and benefits business development, and that truck traffic is antithetical to this.

A traffic study provided by the applicant's consultant, Trans Associates and was reviewed by the Pennsylvania Department of Transportation (PennDOT) District 5-0. Per PennDOT's request, this traffic study was developed to represent a conservative traffic loading approach that models future conditions associated with the landfill operating at potential peak volume (i.e. waste acceptance, import soils/aggregates and wastewater transfer). However, the actual average daily volume that Rolling Hills Landfill accepts is less resulting in fewer trucks. Additionally, the construction soil and aggregate trucks typically have not exited off SR route 100 onto route 73. However, if there is a need to transport construction materials, SR100 directly onto SR73 main street Boyertown was evaluated for this level of traffic. Additionally, the DCSWA has stated that there are other trucks hauling soil as well as other trucks that haul waste which are not destined for the Rolling Hills Landfill on this route. The review process for the traffic study took from approximately May 23, 2019 to October 14, 2021. A traffic study was also performed by Boyertown Borough's traffic consultant.

As part of the overall traffic study Level Of Service (traffic flow) was studied as well as crash history. Local police data was requested and reviewed by Trans Associates. It was found that out of the 97 local crash reports only three (3) sideswipe related crashes were reported to have trucks involved. The 3% of all crashes does not meet the PennDOT crash criteria for presence of a correctable crash pattern.

Street parking is not proposed to be modified or removed as part of the RHL expansion or as a result of truck traffic. Bases on Field measurements, SR73 is wide enough in both directions to accommodate legal parking and thru traffic in Boyertown. Trans Associates conducted a full review of street widths along the primary access corridor within the Borough of Boyertown limits. The roadway was found to be in compliance with PennDOT standards as specified in PennDOT Publication 13M for a community collector. A Highway Safety Manual Crash Investigation was completed for the corridor. All of the observed crash rates (as well as the sum of the reportable and non-reportable rates) are less than the calculated expected rates. Therefore, it can be concluded by the data that a crash problem does not exist at any of the

study intersections. In addition, a report supplied by the Borough's engineer did not recommend removal of any on-street parking given the resulting possibility of higher speeds creating more severe crashes and increased risk to pedestrians.

Boyertown has expressed significant concern about vibration, noise and exhaust fumes resulting from trucks hauling waste to Rolling Hills Landfill. Trans Associates completed the updated traffic study and compared the daily logs from Rolling Hills Landfill to the traffic recorders installed along SR 73. Based on the February 25, 2020 traffic volumes, the truck traffic to and from Rolling Hills landfill accounts for approximately 6% of traffic during the AM peak hour and 1 % during the PM peak hour along SR 73 through Boyertown. This concludes that landfill traffic is a very small percentage of traffic on SR 73. Therefore, the vibration according to Trans Associates cannot be unequivocally be imputed to truck traffic generated by Rolling Hills Landfill, when in fact the majority of traffic generating the vibration is not landfill traffic truck traffic. Similarly, Trans Associates reported that the entirety of the exhaust emissions cannot be generated by truck traffic associated with Rolling Hills Landfill, when the majority of traffic generating the emissions is not generated by landfill truck traffic. Trans Associates indicates that the noise and vibration caused by landfill traffic is negligible compared to the overall volume of trucks and other vehicles that are on the SR 73 in Boyertown.

As a result of the traffic study, Level of Service issues were identified at SR 100 Northbound and Southbound ramps, however any mitigations were economically infeasible. A Level of Service issue was Identified in Earl Township at the intersection of SR 73 and Longview Road, however Earl Township, the host municipality, will not agree to installing a signal at this location. PennDOT requested that more information be provided on possible improvements to the traffic corridor and more information provided on what was feasible. Given that the mitigation at intersections at SR 100 and SR73 was not possible, DCSWA and PennDOT agreed to provide an Alternative Transportation Plan, where funding be used elsewhere along the corridor that was studied.

Public concerns were expressed that there should be a study of pedestrian volumes at intersections within the borough of Boyertown. Walkability was found to be very vital for the success of downtown businesses and safety of the public in Boyertown. There are existing elementary, middle and high school buildings within ¼ mile of Route 73 that the study should take into account. It was stated that 650 students are walking to schools.

To mitigate traffic concerns that were feasible and needed, The Delaware County Solid Waste Authority and Boyertown Borough reached an agreement on funding contributions at the Boyertown Borough Board of Supervisors meeting on October 5, 2020. The agreement authorizes DCSWA to provide \$75,000 per year for 10 years to the Borough of Boyertown to aid in the assistance of the mitigations to the intersections within the Borough for pedestrian safety.

Additionally, DCSWA will limit landfill operations to exclude any Sunday, to limit landfill operations on Saturdays to no more than 18 Saturdays per year, with none of the 18 occurring on any Saturday designated by the Borough by the end of the prior calendar year as a Borough special event day, and with Saturday landfill operations, when they occur, to conclude by noon.

2. Odor complaints

The nuisance odors from Rolling Hills Landfill has historically been a minor issue due to the waste stream being primarily ash residue. However, DCSWA began to experience odors emanating from a portion of RHL in late 2018. In response, DCSWA enacted an emergency procurement process to expand the landfill gas collection network within the area of RHL that the landfill gas was emanating from. The Delaware County Solid Waste Authority installed 11 additional landfill gas extraction wells for odor and gas management that was substantially completed in March of 2019.

Additionally, the blower system vacuum was increased from 1,150 cfm, to 1270 cfm. Since the increase in the number of gas extraction wells and adjustment to the blower, the presence of odors has been largely abated. The RHL records document this as well DEP records of complaints and inspections.

In addition, the DCSWA conducts daily inspections around the landfill for the presence of visible, fugitive and or malodors emissions beyond the boundaries of the RHL.

With regards to the proposed Southern Area Expansion, the landfill expansion gas extraction system will be expanded according to the design drawings. In addition, the DCSWA will employ horizontal gas collection lines and potential caisson wells to assist with odor control and landfill gas management. With ongoing monitoring of the performance of the gas management system, the DCSWA does not anticipate nuisance odors affecting neighboring properties.

3. Aesthetics of the Rolling Hills Southern Expansion

RHL is partially surrounded by a wooded ridge that provides a visual buffer. Most of the landfill's visibility is from a distance on a very small viewshed on Route 662/Memorial Highway to the West-Southwest and the surrounding farmland in that area. DCSWA provided to DEP a visual impact analysis which included a line-of-sight cross section and rendered photos showing existing grades, currently permitted final grades, and proposed final grades from Route 662/Memorial Highway. The Southern Area Landfill Expansion application does not propose to increase the current maximum permitted elevation of 884 feet or increase the disposal area or property boundary.

DCSWA has maintained landfill vegetation on outside slopes at RHL and will continue to vegetate with temporary or permanent cover as new areas are completed as per the landfill's revegetation plan.

DEP has reviewed the visual impact analysis provided by DCSWA and existing visual conditions at RHL to determine the potential visual aesthetic harms associated with the proposed Southern Area Landfill Expansion. Since the expansion application does not propose to increase the maximum permitted elevation, disposal area, or property boundary, and the surrounding wooded ridge provides a visual buffer, DEP believes the visual impacts from the project will be minimal.

4. Comments regarding Berks County's opposition to the expansion

Berks County and the DCSWA were engaged in litigation regarding that the expansion of the Rolling Hills Landfill. Berks County contended that the initial expansion submitted in 2018 did not meet Section 3.02(b)(i) of the 1989 County Agreement to laterally expand the landfill. Subsequently that application was withdrawn, and a revised new Southern Area Expansion was submitted with a smaller volume and footprint, and only a vertical expansion and not a lateral expansion. The vertical expansion will not exceed the existing current permitted elevation of 884 feet and be within the current permitted area.

Berks County and the DCSWA agreed to resolve the dispute and an agreement was signed on February 22, 2021. The signed agreement included the DCSWA agreement of its obligation to pay to Berks County a host fee of \$2.00 for each ton of acceptable waste disposed at Rolling Hills Landfill that was generated outside of Berks County. This will provide \$15,597,000 to Berks County over the 10.4-year expansion life. The agreement also provided an additional \$0.10 per ton of acceptable waste generated outside of Berks County as of January 21, 2021 until the additional Host Fee paid to Berks County reaches \$300,000 at which time DCSWA's obligation to pay this additional host fee terminates.

Berks County also consented to the current Southern Area Expansion Application and not to oppose this expansion application. Additionally, DCSWA agreed to not undertake any further vertical expansion of the Landfill without Berk's County's prior written consent.

5. Comments regarding providing rail service to transport ash to Rolling Hills Landfill:

These comments were provided by the DCSWA as a response to the feasibility of rail service to transport landfill ash:

The DCSWA was aware of a comment made during one of the public meetings or hearings associated with the proposed expansion of the Rolling Hills Landfill – which pertained to utilizing rail to deliver ash wastes to our facility. As we have previously indicated, the use of rail to deliver ash waste from the Chester PA waste to energy facility to the Rolling Hills Landfill never passed the early stages of our evaluation which included:

- *Covanta controls and pays for the transportation of their ash to our landfill.*
- *Financially Unfeasible: The introduction of a rail loading and unloading operating from the waste to energy facility in Chester, PA would increase transportation and handling costs and was not feasible with our contracted ash transportation/disposal rates.*
- *Continued Truck Traffic Impacts: Since it is not possible to extend rail service to the Rolling Hills Landfill – the ash waste hauled by rail would need to be off-loaded and transferred to trucks for delivery to the landfill. This option would require establishment of a waste transfer facility at a rail yard location likely in the Boyertown area. Therefore, there would be no abatement of ash truck traffic through Boyertown with the use of a rail transfer facility to access the Rolling Hills Landfill.*
- *Permitting: Attempting to secure a permit to expand and operate a municipal waste landfill in Berks County Pennsylvania is enough of a challenge. Attempting to connect the landfill expansion project with approval of a greenfield waste transfer facility operating in Boyertown was simply too speculative for the Authority to consider.*

Due to the concerns noted above, the DCSWA did not advance consideration of a rail transfer facility for their ash wastes to the Rolling Hills Landfill. Instead, the DCSWA chose to work directly with Boyertown and PennDOT on attempting to develop a mutually acceptable plan for the traffic associated with continued operation of the Rolling Hills Landfill (and was successfully completed).

6. Comments regarding noise pollution.

The DCSWA engaged an engineering firm that specializes in engineering acoustics to conduct a noise study of the proposed expansion. The engineering study involved a 7 day analysis of the existing noise produced by the landfill and development of a computer model of the noise that would be generated.

Due to the topography of the area of the Southern Area Expansion, any potential community noise issues are confined to the area beyond the southern property line only. In all cases, the sound level from the project is expected to be less than, or generally comparable to the current background level, which indicates that the sounds associated with the expansion operations would be either totally inaudible or at least difficult to distinguish from the normal daytime sound level. The Heller Associates Inc. report recommends that the Delaware County Solid Waste Authority upgrade their current back-up alarms on all of their site equipment. Hessler Associates, Inc.'s opinion is that the greatest amount of back-up alarm noise will be generated by landfill and construction equipment, and therefore upgrading the backup alarms on this equipment have the greatest effect on mitigating back up alarm noise. The DCSWA will install the recommended back up alarms proposed by Hessler Associates, Inc. in the event the proposed Southern Area Landfill expansion is approved by the PA DEP. Additionally, DCSWA will require any soils placement contractor to have the construction equipment utilize backup alarms recommended by Hessler.

7. Concerns regarding the ability of Rolling Hills landfill being able to contain the waste without affecting the environment.

The landfills in Pennsylvania are double synthetic lined landfills with a "geosynthetic clay liner" generally beneath the primary liner. Leachate is collected on the primary liner from a 18 inch layer of aggregate and pumped out of the landfill. If a leak was to occur in the primary liner, the geosynthetic clay liner acts to "plug" the hole. If any liquid would get through the geosynthetic clay liner, there is a leak detection zone on top of the secondary liner. The leachate detection zone is designed to rapidly flow the liquid to a sump and be pumped out of the landfill. Since it is designed that there is no "head" or liquid buildup on the secondary liner, if there is a hole in the secondary liner, there is little pressure to push the liquid through the hole similar to the principal of how rain runs off a roof and does not leak. The track record in Pennsylvania of double lined composite liner system in municipal landfills over 30 years has been extremely effective to prevent groundwater degradation.

The landfill liners are generally high-density polyethylene liner stabilized with carbon black. This material, similar to a high density polyethylene plastic gasoline container, is very resistant to any degradation. The landfill is designed with a geomembrane cap and a 2-foot cover layer of soil after the landfill is filled. The cap after closure prevents rainwater from entering the

landfill and the landfill therefore does not generate leachate or generates minimal amounts. The landfill cap is generally high-density polyethylene plastic (same material as the landfill liner) and is very resistant to degradation. A bond is also posted to maintain the landfill after closure in the event the permittee would not perform maintenance of the landfill cover if required, or other maintenance activities that may occur.

The landfill does not accept any loads of what is defined by regulations as “Hazardous Waste”. Hazardous Waste is highly regulated for storage, transportation and disposal and is accompanied by manifests. Rolling Hills Landfill accepts mostly Incinerator ash, and typical municipal waste from residents and commercial establishments. Any “Residual Waste “such as from an industry must be analyzed, and this information is reviewed and approved by a chemist in the DEP Southcentral regional office before Rolling Hills landfill would be able to accept the waste. Liquid wastes are not accepted, only solid waste.

8. Concerns regarding how the Rolling Hills Landfill is being monitored for environmental impacts.

The groundwater is monitored quarterly in groundwater monitoring wells that surround the landfill and are located outside of the liner system. The groundwater monitoring plan is reviewed and approved by a Pennsylvania-licensed Professional Geologist in the Southcentral Regional Office Waste Management Program. The requirements for groundwater monitoring and monitoring parameters are prescribed by the Department in Title 25 Chapter 273 Municipal Waste Regulations. The sampling results are reviewed by a licensed Professional Geologist in the DEP Southcentral Regional Office Waste Management Program. If there is an indication that a monitoring parameter is detected above background levels, the Department by regulation, may ask the owner or operator of the landfill to develop and implement a groundwater assessment plan to determine the *“existence, quality, quantity, areal extent of and depth of groundwater degradation and the areal extent and depth of groundwater degradation”*.

If the landfill impacts groundwater and remediation is necessary, the Department will require the landfill owner or operator to develop and implement an abatement plan to remediate groundwater before it leaves the landfill property. Pursuant to the requirements of Pennsylvania Act 101 and if requested by the landowner, the landfill is also required to monitor the water quality in private water supply wells located on contiguous properties. If the landfill were to affect a private water supply, the PA Municipal Waste regulations also require in Section 273.245 Water Supply Replacement(a) that *“A person or municipality operating a municipal waste landfill which adversely affects a water supply by degradation, pollution or other means shall restore or replace the affected water supply with an alternate source that is of like quantity and quality to the original supply at no additional cost to the owner.”*

Surface water that runs off the surface of the landfill flows across soil cover material that is primarily vegetated. All surface water runoff from the landfill is captured in containment basins. The discharges from these basins flow into surrounding streams and are permitted by an NPDES discharge permit which requires monitoring of the water quality in the discharges. In addition, the landfill is required to sample surface water at designated locations within the stream quarterly and perform an annual stream study at designated locations along the receiving stream (Furnace Run) to evaluate the benthic macroinvertebrate population for impairment.

The landfill surface is also monitored monthly for surface emissions, as required by the Title V permit of the Clean Air Program. The landfill is inspected monthly by the DEP Southcentral Regional office Waste Management compliance and enforcement sections. Landfill records are also inspected. Construction of the landfill is inspected under the direction of a certified third-party Pennsylvania-licensed Professional Engineer. All of the construction inspection documentation is then reviewed and approved by a Pennsylvania- licensed Professional Engineer in the Southcentral DEP Regional Office Waste Management Program.

9. Need for refuse from Philadelphia to be disposed in Berks County

DEP is unable in any way to restrict where municipal waste is disposed based on where the waste originates. Furthermore, Federal Law designates that refuse entering states from other states is considered interstate commerce and is protected by the Constitution. In Pennsylvania, counties conduct municipal waste planning to ensure disposal capacity for at least 10 years.

10. Concerns that comments from a previous expansion applicant cannot be considered for this expansion.

DEP is only able to consider comments submitted for an application that is accepted and currently being reviewed. Any comments made previously can be resubmitted.

11. Concern if there are any cancer clusters in the area of Rolling Hills Landfill.

DEP contacted the PA Department of Health, and the Department of Health is not aware of a cancer cluster in the area of Rolling Hills Landfill. The Department of Health indicated that records show that between 2004 and 2018 the rates of cancer in Earl Township are in a decreasing trend.

12. Environmental Assessment – Harms Benefit Analysis

As required by 25 PA Code 271.126 and .127 for an expansion of a landfill, the applicant must conduct an environmental assessment and demonstrate that the benefits of the project clearly outweigh the known and potential environmental harms that will remain after the proposed mitigations. DEP has conducted an extensive review of the environmental assessment and conducted a Harms Benefit analysis. This Harms Benefit analysis document is posted on the DEP Southcentral Regional Office website under *Community Information – Rolling Hills Landfill*. <https://www.dep.pa.gov/About/Regional/SouthcentralRegion/Pages/default.aspx>