



September 30, 2024

ELECTRONIC DELIVERY TO: ASULKOWSKI@NOBLEENVIRO.COM

Alex Sulkowski
Westmoreland Sanitary Landfill, LLC
111 Conner Lane
Belle Vernon, PA 15012

Re: Minor Permit Modification – Revision of Basegrades
Sanitary Landfill
Rostraver Township, Westmoreland County
I.D. No. 100277
Authorization No. 1472655

Dear Alex Sulkowski:

The Department of Environmental Protection (Department) hereby issues, in accordance with Article V of the Solid Waste Management Act, 35 P.S. Sections 6018.101, *et seq.*, a minor modification of Solid Waste Permit I.D. No. 100277 authorizing revision to basegrades at a small area located between Cell S6 and Cell N2.

Compliance with the terms and conditions set forth in Solid Waste Permit I.D. No. 100277 is mandatory. You have the right to file an appeal as to the modified terms and conditions.

This authorization does not relieve Westmoreland Sanitary Landfill, LLC, from applying for and obtaining any additional permits or approvals from local, state, or federal agencies required for this project. Please be advised that if any other permits are required for this project, they must be issued prior to undertaking the activities described in the permit application. Issuance of the attached permit does not indicate an affirmative action on any other pending or future permit applications.

If you are uncertain as to whether or not other permits are needed for this project, please use the Department's *Pre-Application Consultation Tool* (PACT), which can be found at <https://www.ahs.dep.pa.gov/PACT/>. The online tool is designed to quickly and easily assist potential applicants in determining which types of environmental permits, authorizations, or notifications would be needed for specific projects. Based on the user's responses to a series of simple questions, PACT automatically provides an email response with information on permits and other information an applicant should consider.

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

TTY/TDD users may contact the Environmental Hearing Board through the Pennsylvania Hamilton Relay Service by phone at 1.800.654.5984.

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 <https://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 about the attached permit modification or requirements of the Solid Waste Management Act, please contact Ihab Abdulfatah of this office at iabulfata@pa.gov or 412.442.5204.

Sincerely,

Sharon Svitek
Environmental Program Manager
Bureau of Waste Management

Attachment: Permit Modification

cc: Jason Rigone, Westmoreland County (wcplanning@co.westmoreland.pa.us)
Tamira Spedaliere, Rostraver Township (planning@rostraver.us)
David Murray, Civil Design Solutions, Inc. (dmurray@civildesign.org)
Kenneth Lee, PADEP (kenlee@pa.gov)
William Mura, PADEP (wmura@pa.gov)
Ihab Abdulfatah, PADEP (iabdulfata@pa.gov)
Region

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WASTE MANAGEMENT**

FORM NO. 13-A

MODIFICATION TO SOLID WASTE DISPOSAL AND/OR PROCESSING PERMIT

Under the provisions of Act 97, the Pennsylvania Solid Waste Management Act, the Act of July 7, 1980, P.L. 380, 35 P.S. §§ 6018.101, *et seq*, Solid Waste Permit I.D. No. 100277 reissued on July 20, 2015, to Westmoreland Sanitary Landfill, LLC, for the operation of the Sanitary Landfill, a Municipal Waste Disposal Site located in Rostraver Township, Westmoreland County, is hereby modified as follows:

1. This permit modifies Solid Waste Permit I.D. No. 100277 originally issued on May 24, 1991, and modified thereafter. It is issued in response to Solid Waste Management Permit Application I.D. No. 100277 received on February 11, 2024, and designated as Authorization No. 1472655 for revisions to basegrades at a small area located between Cell S6 and Cell N2. Subsequent revisions and addendums submitted to the initial application are approved by the Department of Environmental Protection (Department) and are a part of this permit amendment.

This permit modification is issued based on the assumption that the information submitted in the referenced application and defined in Permit Condition No. 2 is accurate. Any inaccuracies found in this information may be grounds for the revocation or modification of this permit and potential enforcement action.

2. The approved application consists of the following documents:

<u>Document</u>	<u>Title</u>	<u>Date (Revision)</u>
Form GIF	General Information Form	1/31/2024
Form A	Application for Municipal or Residual Waste Permit	1/18/2024 (6/5/2024)
Form B	Professional Certification	1/31/2024 (6/7/2024)
Form B1	Application Form Certification	1/31/2024 (6/7/2024)
Form MRW-C	Compliance History	1/18/2024
Form 1	Facility Plan	1/31/2024
Addendum	Correspondence	6/7/2024
Drawing No. S2	Site Development Plan	1/2024
Drawing No. S3	Subgrade Plan South Expansion	1/2024
Drawing No. S5	Top of Protective Cover South Expansion	1/2024
Drawing No. X3	Cross Section C-C	1/2024

This permit modification shall be attached to the existing Solid Waste Permit described above and become a part thereof effective on September 30, 2024.

Sharon Svitek

FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

**PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION
WASTE MANAGEMENT**

Permit I.D. No. 100277

3. This permit modification authorizes revisions to basegrades at the small area located between Cell S6 and Cell N2, to improve the phased construction of the landfill. The initial modification application, received on February 11, 2024, and the subsequent Addendum received on June 7, 2024, as indicated in Permit Condition No. 2 above, are approved in accordance with 25 Pa. Code § 271.222 (relating to permit modification) and Chapter 273 Subchapter C.
4. Any final operational, design, or other plan developed subsequent to the issuance of this permit modification which exhibit changes in structure, location, specification, or other changes of substance shall be submitted to the Department for subsequent permit action. Any deviation from the plans herein approved shall not be implemented before first obtaining a permit amendment or written approval from the Department.
5. Unless amended by this permit modification or a previously approved permit modification, all design and operational requirements set forth in Solid Waste Permit I.D. No. 100277, issued on May 24, 1991, remain valid for this permit modification.
6. If there is a conflict between the application, its supporting documents and/or amendments, and the terms and conditions of this permit, the terms and conditions of this permit shall apply.
7. Approval of this permit modification does not guarantee site stability or operational effectiveness. Failure of this site to perform as intended or designed according to the application documents herein approved for any reason shall be sufficient grounds for revocation or suspension of this permit.