



July 9, 2025

ELECTRONIC DELIVERY TO: ASULKOWSKI@NOBLEENVIRO.COM

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

Re: Minor Permit Modification – Spray-on/Foam Products as Alternative Daily Covers
Sanitary Landfill
Rostraver Township, Westmoreland County
Permit I.D. No. 100277
Authorization No. 1499894

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 the use of the following spray-on slurry/foam products as an alternative daily cover:

- Posi-Shell: manufactured by LSC Environmental Products, LLC,
- TOPCOAT: manufactured by PROFILE Products LLC,
- ProGuard SB-2: manufactured by New Waste Concepts, Inc.,
- Atmos Daily Cover: manufactured by Atmos Technologies, and
- Rusmar AC-645: manufactured by Rusmar Inc.

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
Post Office Box 8457
Harrisburg, PA 17105-8457

TTY/TDD users may contact the 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 iabdulfata@pa.gov or 412.442.5204.

Sincerely,

Sharon Svitek
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)
Patrick Wozinski, BAI Group (pwozinski@baigroupllc.com)
Ken Lee, PADEP (kenlee@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, (Permittee) for the operation of the Sanitary Landfill (Facility), a Municipal Waste Disposal Site located in Rostraver Township, Westmoreland County, is hereby modified as follows:

1. This permit modifies Solid Waste Permit 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 dated September 19, 2024, and designated as Authorization No. 1499894 for the use of new material as alternative daily covers (ADC). 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:

Document	Title	Date (Revision)
Form GIF	General Information Form	9/13/24
Form A	Application for Municipal or Residual Waste Permit	8/27/24 (4/09/25)
Form B	Professional Certification	9/13/24 (4/11/25)
Form B1	Application Form Certification	9/13/24 (4/11/25)
Form MRW-C	Compliance History	8/27/24
Form 14	Operation Plan – Phase II	4/11/25 (5/30/25)

3. The Facility is authorized to use the following spray-on slurry/foam products as an ADC pursuant to 25 Pa. Code Section 273.232, provided that the products are applied in accordance with manufacturer recommendations and the procedures outlined in this permit and that they do not interfere with landfill operations:

This modification shall be attached to the existing Solid Waste Permit described above and shall become a part thereof effective on July 9, 2025.

Sharon Svitek

FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

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- Posi-Shell: Manufactured by LSC Environmental Products, LLC
- TOPCOAT: Manufactured by PROFILE Products LLC
- ProGuard SB-2: Manufactured by New Waste Concepts, Inc.
- Atmos Daily Cover: Manufactured by Atmos Technologies
- Rusmar AC-645: Manufactured by Rusmar Inc

No other spray-on slurry/foam products are approved for use as ADC. If the facility chooses to utilize spray-on slurries/foams other than the products mentioned above, an application for a minor permit modification must be submitted to the Department. The request shall include the proposed ADC material's performance data, safety information, and detailed application procedure. The application procedure for any proposed ADC must conform with the following requirements:

- a. Spray-on slurries shall be applied in a uniform layer no less than ¼ inch to ½ inch thick using manufacturer recommended equipment. Foam products shall be applied in a uniform minimum 2-inch to 6-inch layer using a pneumatic foam unit or similar equipment recommended by the manufacturer.
 - b. All spray-on slurry/foam ADC materials must be applied using manufacturer recommended or approved equipment capable of uniform material generation and application.
 - c. Spray-on slurry/foam ADC material mixing and application shall be in accordance with the manufacturer's recommendations.
4. Wastes to be covered with spray-on slurry/foam ADC material shall be properly compacted to create as smooth a surface as possible. The spray-on slurry/foam ADC material shall be applied in at least two different directions to ensure complete coverage of the waste. Incomplete or inconsistent application that leaves portions of the waste exposed is not permitted.
 5. The applied spray-on slurry/foam material must effectively deter vectors, including birds, insects, and rodents and other nuisances consistent with 25 Pa. Code Section 273.232. If evidence of vector activity is observed, the operator shall immediately reapply the material or take corrective actions to reestablish full coverage.
 6. The applied spray-on slurry/foam material must suppress blowing litter and odors, as required under 25 Pa. Code Section 273.232. If the material fails to control off-site litter or odors, the Permittee must immediately reapply the material or use approved cover soil.

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7. The spray-on slurry/foam material must be applied in a manner that minimizes oxygen transfer to the working face to minimize the risk of fire. If a fire occurs in an area previously covered with the material, use of the spray-on slurry/foam material shall be suspended. A report detailing the incident and corrective actions taken must be submitted to the Department.
8. If a spray-on slurry/foam used as an ADC ceases to meet the performance standards for daily cover as specified in 25 Pa. Code Section 273.232(b) at any time and for any reason, a soil daily cover shall be used.
9. The spray-on slurry/foam products shall only be utilized in the limited area of the working face where waste is expected to be placed the following day.
10. The use of the spray-on slurry/foam products shall be restricted to non-traffic areas of the working face only.
11. Spray-on slurries/foams shall not be used on any exterior/outside slopes or any location where there is a potential for contact water to migrate beyond the disposal area.
12. Spray-on slurry/foam materials shall not be used whenever weather conditions, e.g. extreme wind, rain, or cold temperatures, indicate a potential problem with application or functioning of the materials. If the material is compromised due to weather conditions, the Permittee shall reapply the cover immediately or apply soil daily cover.
13. The Permittee shall remove, scarify, or mix-in to the extent possible any Spray-on slurry/foam cover that would create a barrier to the movement of leachate and gas at the beginning of the next operating day.
14. The Permittee shall maintain daily logs documenting the types of spray-on slurry/foam material used, area covered, thickness of application, weather conditions, equipment used, and any operational issues encountered. Records shall be maintained on-site and included in the annual report for the facility.
15. The permittee shall maintain a five-day supply of cover soil meeting the requirements of 25 Pa. Code Section 273.232(b) on-site at all times as required by 25 Pa. Code Section 273.232(c).
16. Any final operational, design, or other plan developed subsequent to the issuance of this permit modification which exhibits changes in structure, location, or 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.

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17. 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.
18. 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.
19. 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.