

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

In The Matter Of:

Westmoreland Sanitary Landfill, LLC	:	
d/b/a Westmoreland Sanitary Landfill	:	
111 Conner Lane	:	
Belle Vernon, PA 15012	:	Solid Waste Management Act
	:	
Rostraver Township	:	
Westmoreland County	:	
ENF. ID No. <u>453773</u>	:	

CONSENT ASSESSMENT OF CIVIL PENALTY

This Consent Assessment of Civil Penalty is entered into this 18th day of March, 2026, by and between the Commonwealth of Pennsylvania, Department of Environmental Protection ("Department") and Westmoreland Sanitary Landfill, LLC ("Sanitary Landfill").

The Department has found and determined the following:

- A. The Department is the agency with the duty and authority to administer and enforce the Solid Waste Management Act, Act of July 7, 1980, P.L. 380, as amended, 35 P.S. §§ 6018.101-6018.1003 ("SWMA"); and the rules and regulations promulgated thereunder.
- B. Sanitary Landfill is a Delaware limited liability company with a business address of 111 Connor Lane, Belle Vernon, PA 15012, and is a "person" as that term is defined in Section 103 of the Solid Waste Management Act, 35 P.S. § 6018.103.
- C. Sanitary Landfill owns and operates a solid waste disposal facility ("Landfill") pursuant to Waste Management Permit No. 100277 issued by the Department, located at 111 Conner Lane, Belle Vernon, PA 15012, Westmoreland County ("Site").
- D. On November 20, 2025, the Department conducted inspections of the Site and observed off-site tracking of mud on Tyrol Boulevard coming from the Landfill entrance.

E. On November 20, 2025, the Department issued Sanitary Landfill a Notice of Violation (“NOV”) for access roads not being maintained to prevent the tracking of mud off of the Site.

F. On November 24, 2025, December 5, 2025, December 16, 2025, and December 19, 2025, the Department conducted inspections of the Site and observed off-site tracking of mud on Tyrol Boulevard coming from the Landfill entrance.

G. On December 23, 2025, the Department conducted an inspection of the Site and observed tracking onto Tyrol Boulevard and Grant Boulevard from the Landfill entrance. The Department also observed muddy discharge running down the Landfill’s driveway onto Tyrol Boulevard.

H. On January 8, 2026, and January 12, 2026, the Department conducted inspections of the Site and observed tracking onto Tyrol Boulevard from the Landfill’s entrance.

Applicable Law

I. As set forth in Paragraphs D, F, G, and H, between November 20, 2025 and January 12, 2026, on at least 8 occasions, Sanitary Landfill failed to maintain access roads to prevent or control the tracking of mud on and off the Site, in violation of 25 Pa. Code § 273.213(h).

Unlawful Conduct

J. The violations described in Paragraph D-H, above, constitute unlawful conduct under Sections 610(4) and (9) of the SWMA, 35 P.S. § 6018.610(4) and 610(9); a public nuisance pursuant to Section 601 of the SWMA, 35 P.S. § 6018.601, and subjects Sanitary Landfill to a claim for civil penalties under Section 605 of the SWMA, 35 P.S. § 6018.605.

ASSESSMENT

After full and complete negotiations of all matters set forth in this Consent Assessment of

Civil Penalty and upon mutual exchange of the covenants herein, the parties desiring to avoid litigation and intending to be legally bound, it is hereby ASSESSED by the Department and AGREED to by Sanitary Landfill as follows:

1. ***Assessment.*** In resolution of the Department's claim for civil penalties, which the Department is authorized to pursue under Section 605 of the SWMA, 35 P.S. § 6018.605, the Department hereby assesses a civil penalty of **TWENTY-FIVE THOUSAND TWO HUNDRED DOLLARS (25,200.00)**, which Sanitary Landfill hereby agrees to pay.

2. ***Civil Penalty Settlement.*** Sanitary Landfill consents to the assessment of the civil penalty assessed in Paragraph 1, which shall be paid in full upon signing this Consent Assessment of Civil Penalty. This payment is in settlement of the Department's claim for civil penalties for the violations set forth in Paragraph D-H, above for the dates contained therein. The payment shall be by corporate check or the like, made payable to "Commonwealth of Pennsylvania" and sent to Waste Management Compliance Specialist, 400 Waterfront Drive, Pittsburgh, PA 15222.

3. ***Findings.***

a. In any matter or proceeding between Sanitary Landfill and the Department, Sanitary Landfill shall not challenge or deny the Department's assertion of the truth, accuracy, or validity of Paragraphs A through J, above.

b. The parties do not authorize any other persons to use the findings in this Consent Assessment of Civil Penalty in any matter or proceeding.

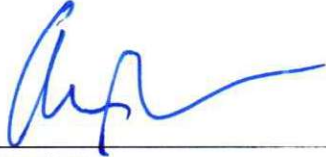
4. ***Reservation of Rights.*** The Department reserves all other rights with respect to any matter addressed by this Consent Assessment of Civil Penalty, including the right to require abatement of any conditions resulting from the events described in the Findings Sanitary Landfill reserves the right to challenge any action which the Department may take, but waives the right to

challenge the content or validity of this Consent Assessment of Civil Penalty.

IN WITNESS WHEREOF, the parties have caused this Consent Assessment of Civil Penalty to be executed by their duly authorized representatives. The undersigned representatives of Sanitary Landfill certify, under penalty of law, as provided by 18 Pa. C. S. § 4904, that they are authorized to execute this Consent Assessment of Civil Penalty on behalf of Sanitary Landfill, that Sanitary Landfill consents to the entry of this Consent Assessment of Civil Penalty as an ASSESSMENT of the Department; that Sanitary Landfill hereby knowingly waives any right to a hearing under the statutes referenced in this Consent Assessment of Civil Penalty; and that Sanitary Landfill knowingly waives its right to appeal this Consent Assessment of Civil Penalty, which rights may be available under Section 4 of the Environmental Hearing Board Act, Act of July 13, 1988, P.L. 530, 35 P.S. § 7514; the Administrative Agency Law, 2 Pa. C.S. § 103(a) and Chapters 5A and 7A; or any other provision of law. (Signature by Sanitary Landfill 's attorney certifies only that the agreement has been signed after consulting with counsel.)

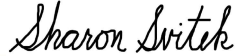
[SIGNATURES ON FOLLOWING PAGE(S)]

**FOR WESTMORELAND SANITARY
LANDFILL, LLC:**




Signature
Name (print) Alexander Sulkowski
Authorized Representative

**FOR THE COMMONWEALTH OF
PENNSYLVANIA, DEPARTMENT OF
ENVIRONMENTAL PROTECTION:**



Sharon Svitek
Program Manager
Waste Management



Signature
Name (print) AWS
Attorney for Sanitary Landfill (or official's
initials indicating waiver of right to attorney
review)



John H. Herman
Regional Chief Counsel