



September 27, 2021

**VIA ELECTRONIC DELIVERY**

Rich Walton  
Westmoreland Sanitary Landfill, LLC  
111 Connor Lane  
Belle Vernon, PA 15012-4519

Re: Contingency Plan for Emergency Procedures and Operation Plan Revisions  
Sanitary Landfill  
Rostraver Township  
Westmoreland County  
I.D. No. 100277  
APS No. 1039958  
Authorization No. 1356401

Dear Mr. Walton:

The Department of Environmental Protection 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 No. 100277 authorizing revisions to the Contingency Plan for Emergency Procedures and the Operation Plan for the Sanitary Landfill, including provisions for application of sewage sludge to intermediate and final cover soil to facilitate compliance with 25 Pa. Code Section 273.236.

Compliance with the terms and conditions set forth in Solid Waste Permit 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 enclosed permit(s) 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 <http://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

TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 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 <http://ehb.courtapps.com> 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 enclosed permit or requirements of the Solid Waste Management Act, please contact Denis Strittmatter at 412.442.5800.

Sincerely,

*Sharon Svitek*

Sharon Svitek  
Program Manager  
Bureau of Waste Management

Enclosure

cc: Westmoreland County Department of Planning and Development  
Rostraver Township  
Civil Design Solutions  
K. Lee  
Regional

**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 Number 100277 issued on May 24, 1991 and reissued on July 20, 2015 to Westmoreland Sanitary Landfill, LLC for the operation of the Sanitary Landfill 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. It is issued in response to Solid Waste Management Permit Application No. 100277 designated as Authorization Request No. 1356401 dated May 29, 2021 for revisions to the facility's Contingency Plan for Emergency Procedures and Operation Plan. The plans and specifications in the applications, including subsequent revisions and addendum(s) submitted to the initial application, are approved by the Department and are enforceable as a part of this permit amendment.

This permit modification is issued based on the assumption that the information submitted in Solid Waste Management Permit Application No. 100277 and designated as Authorization Request No. 1356401 referenced 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>Form No./Letter</u>	<u>Form Title</u>	<u>Date (Revision)</u>
Form GIF	General Information Form	5/29/21
Form A	Application for Municipal or Residual Waste Permit	5/29/21
Form B	Professional Certification	5/29/21
Form B1	Application Form Certification	5/29/21
Form MRW-C	Compliance History	5/29/21
Form L	Contingency Plan for Emergency Procedures	5/29/21
Form 14	Operation Plan – Phase II	5/29/21

3. This permit modification authorizes revisions to the Contingency Plan for Emergency Conditions as described in Form L of the approved application. This authorization is subject to the following conditions:
  - A. The provisions of the approved plan shall be carried out whenever emergency situations arise which endanger public health and safety, or the environment.
  - B. A copy of the approved plan and any subsequent revisions shall be maintained on-site. All members of the facility's organization responsible for developing, implementing, and maintaining the plan, and all designated emergency coordinators, shall review the plan and be thoroughly familiar with its provisions.
  - C. Additional copies of the approved plan shall be distributed to the county and local emergency management agencies, local fire departments and/or Hazmat Teams, local emergency medical services, and local police departments to the extent to which they may become involved in an actual emergency.

This modification shall be attached to the existing Solid Waste Permit described above and shall become a part thereof effective on **September 27, 2021**.

Sharon Svitek

FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION  
COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
WASTE MANAGEMENT

Permit No. 100277

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- D. The Contingency Plan shall be periodically reviewed and, if necessary, updated. At a minimum, revisions must occur when:
- i. Applicable Department regulations are revised;
  - ii. The plan fails in an emergency;
  - iii. The facility changes in its design, construction, operation, maintenance, or other circumstances, in a manner that materially increases the potential for fires, explosions or releases of toxic or hazardous constituents; or which changes the response necessary in an emergency;
  - iv. The list of emergency coordinators changes;
  - v. The list of emergency equipment changes; or
  - vi. As otherwise required by the Department.
4. This permit modification authorizes revisions to the Operation Plan as described in Form 14 of the approved application, subject to the following conditions:
- A. The application of sewage sludge to cover soils to facilitate compliance with 25 Pa. Code Section 273.236 shall be conducted in accordance with the procedures set forth in Attachment 14-5 of the approved application.
  - B. All sources of sewage sludge to be used for vegetation enhancement of intermediate and final cover soil shall be from generators covered under a General Permit for Beneficial Use of Biosolids by Land Application unless otherwise approved by the Department in writing.
  - C. Sewage sludge application shall be conducted to minimize the potential for odors, vectors and other nuisances. In the event that malodors attributable to acceptance, storage and/or application of sewage sludge are detected, remaining sludge shall be deposited in the active disposal area at the site and be covered with sufficient additional soil to control the odor.
5. 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.
6. Approval of this permit does not guarantee site stability or operational effectiveness, nor connote Department concurrence in all opinions or conclusions set forth in the application documents. Failure of this site to perform as intended or designed according to the application documents herein approved for any reason, or in accordance with the requirements of any applicable law or regulation or in a manner protective of human health and the environment shall be sufficient grounds for modification revocation or suspension of this permit.
7. Unless amended by this permit modification or a previously approved permit modification, all design and operational requirements set forth in Solid Waste Permit No. 100277, originally issued on May 24, 1991, remain valid for this permit modification.