



January 25, 2024

VIA E-MAIL: RValiga@tullyconstruction.com

Mr. Richard E. Valiga, General Manager
Tully Environmental, Inc. d/b/a Natural Soil Products Company
2288 East Center Street
P.O. Box 283
Tremont, Pennsylvania 17981

Re: May 25, 2023 Consent Order and Agreement
Tully Environmental, Inc. d/b/a Natural Soil Products Company
PADEP Permit No. 101628
Frailey Township, Schuylkill County

Dear Mr. Valiga:

The Pennsylvania Department of Environmental Protection (“Department”) is in receipt of your January 22, 2024 request to terminate the May 25, 2023 Consent Order and Agreement between the Department and Tully Environmental, Inc. d/b/a Natural Soil Products Company (“Tully Environmental”). The Department acknowledges that, as of December 4, 2023, the Gore Biosolids Composting System was installed and began operating; and that Tully Environmental has reported that, as of December 20, 2023, all open windrows have been removed and processed from inside the existing buildings. The Department conducted site visits at the facility on December 5, 2023 and January 10, 2024 to confirm compliance. Therefore, the obligations of Paragraphs 3.a through 3.k of the May 25, 2023 Consent Order and Agreement are hereby terminated.

If you have any questions, please contact me at rachmiller@pa.gov or (570) 826-2434.

Sincerely,

Rachel Miller

Rachel Miller
Environmental Group Manager
Waste Management Program

cc: Mr. Peter Tully (via e-mail: ptully@tullyconstruction.com)
Mr. Matthew Ackerly (via e-mail: mackerly@tullyenvironmental.com)

Miller, Rachel

From: Matthew Ackerly <MAckerly@tullyenvironmental.com>
Sent: Thursday, January 25, 2024 3:09 PM
To: Miller, Rachel; Rich Valiga; Peter Tully
Cc: Bellas, Roger; Kuzma, Cherise; Matulevich, Joshua
Subject: [External] RE: Tully Environmental Inc. 05-25-23 COA Termination

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Thank you all, and we have received the information.

From: Miller, Rachel <rachmiller@pa.gov>
Sent: Thursday, January 25, 2024 3:02 PM
To: Rich Valiga <RValiga@tullyconstruction.com>; Peter Tully <PeterTully@tullyconstruction.com>; Matthew Ackerly <MAckerly@tullyenvironmental.com>
Cc: Bellas, Roger <rbellas@pa.gov>; Kuzma, Cherise <ckuzma@pa.gov>; Matulevich, Joshua <jmatulevic@pa.gov>
Subject: Tully Environmental Inc. 05-25-23 COA Termination

*** Externally sourced E-Mail message ***

Mr. Valiga:

Please see the attached correspondence as it pertains to the termination of the obligations under the 5-25-23 Consent Order and Agreement between the Department of Environmental Protection and Tully Environmental, Inc d/b/a Natural Soil Products Company. Please confirm receipt. A hard copy will not follow.

Thank you,

Rachel M. Miller | Environmental Group Manager
Department of Environmental Protection | Waste Management Program
Northeast Regional Office
2 Public Square | Wilkes-Barre, PA 18701-1915
Phone: 570.826.2434 | Fax: 570.826.5448
www.dep.pa.gov

DEP is Going Paperless: To assist DEP in reaching this goal, the NERO Waste Management Program is requesting that **ALL documents** submitted to the Northeast Regional Office Waste Management Program, with the exception of documents submitted through the ePermitting or OnBase applications, be submitted by email as an attachment to this resource account ra-epwm-nero@pa.gov

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Miller, Rachel

From: Rich Valiga <RValiga@tullyconstruction.com>
Sent: Monday, January 22, 2024 2:52 PM
To: EP, NERO WM; Bellas, Roger
Cc: Dan Scully; Matthew Ackerly; Hugh Archer
Subject: [External] Consent Order Termination Request - Tully Environmental Inc d/b/a Natural Soil Products Company & Commonwealth of PA, Dept. of Environmental Protection

Importance: High

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Mr. Bellis:

Tully Environmental Inc., d/b/a Natural Soils Products (Tully/NSP), is party to the Consent Order and Agreement (COA) with the Commonwealth of Pennsylvania, Department of Environmental Protection (PADEP), dated May 25, 2023.

Tully/NSP has complied with ALL provisions of the COA, more specifically the following “operative sections”:

1. Paragraph 3 – Corrective Actions – sections a -k
2. Paragraph 4 – Civil Penalties
3. Paragraph 5 – Stipulated Civil Penalties
4. Paragraph 19 – Termination

With respect to Paragraph 19 – “Termination Requirements”, all the criteria have been met as follows:

1. The Gore Biosolids Composting System (Gore System) was installed and began operating on December 4, 2023. (50 days from current date)
2. All incoming biosolids received from December 4th forward, were placed into the Gore System and “open windrow composting” was terminated.
3. The final “open windrows” (previously placed prior to December 4 in buildings) were removed and processed on December 20, 2023. (33 days from current date)
4. All obligations of Paragraphs 3c through 3k have been met, as described above in item 1.
5. All obligations of Paragraphs 3a through 3b have been met, as described above in items 1& 3. (minimum 30 days)

Having complied with ALL provisions of the COA , specifically Paragraph19 “Termination,” as described above, Tully/NSP requests that the COA be Terminated.

Thank you,

Richard Valiga
General Manager
Natural Soil Products

917 299 6156 – cell
570 695 2525 - office

