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Evergreen Environmental, Inc.

March 11, 2010

Mr. Stephen Socash, Chief
Division of Municipal and Residual Waste
Department of Environmental Protection
14th Fl. Rachel Carson State Office building
P.O. Box 8472
Harrisburg, PA 17105

**Re: Supplemental Information for Hazleton Creek Properties, LLC
Registration Application under WMGR097**

Dear Mr. Socash:

Based on the technical comments received from the Department concerning the pending application for Registration under Statewide Beneficial Use General Permit WMGr097, Hazleton Creek Properties, LLC (HCP) is providing the following supplemental information as requested by the Department as well as further clarification to elements of the proposed operation plan as contained in the application submitted on August 26, 2009 as modified by the technical response provided to DEP on September 30, 2009. Specifically:

1. **Compliance History, Form HW-C:** DEP has advised HCP that it considers the company Fort Mifflin Reclamation Associates a "related party" to HCP as that is defined for purposes of the Form HW-C. As a result DEP believes that the Form HW-C previously submitted by HCP in September 2008 is required to be updated to include information on this form concerning this company. HCP does not believe this company is a related party as that is defined in Form HW-C. Nevertheless, HCP as requested by DEP, has attached an amended HW-C that provides the required information on this company in Attachments C-A.1 and C-B.6
2. **Project Status Reports:** Under Permit Condition # 25 of WMGR097, a permittee must submit a status report on the project every four months. Due to the fact that environmental/performance monitoring for the project will be conducted on a quarterly basis including groundwater monitoring and gas monitoring and regular compaction test, HCP believes it is more appropriate that four quarterly reports

rather than three periodic reports be submitted to the Department. The quarterly reports will contain:

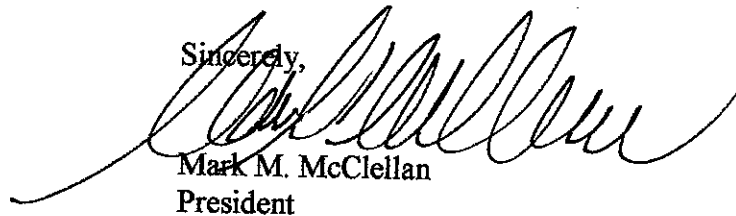
- All information required by Permit Condition # 25
 - The groundwater monitoring data
 - The gas monitoring data
 - All data from chemical analysis conducted on the C & D fines, including the organic content and quarterly test of gypsum content performed on all mixtures or C & D fine material delivered to the project site
 - All data from chemical analysis conducted on the blend material
 - Compaction test results
 - The mix ratios being utilized
3. **Annual Project Review:** As part of the Departments' regular oversight of this project, HCP is proposing an annual review of the performance of the five year demonstration project. At the end of each year of the project, DEP would review the performance of the project based on performance factors and other information contained in the quarterly reports. HCP can continue to operate the demonstration project as long as DEP has no objections. DEP may review the performance of the project on a more frequent basis if they chose to do so. If data from the groundwater monitoring, gas monitoring, compaction test or the conditions at the site indicate that the project poses a threat to public health or the environment or public welfare, or the performance standard to be obtained was not achieved, DEP would require HCP to assess the issue and propose corrective action.
4. **SPLP Leachate Test:** The current proposed Sampling and Testing Protocol for C & D Fine material contained in the Registration application provided for SPLP leachate testing of the C & D fine material. Based on discussions with DEP, HCP has agreed to expand the list of parameters to include copper and zinc. Attachment 20 F 4: C & D fines Acceptance Limits has been revised to reflect this change. A copy of the revised attachment is attached.
5. **DEP Review of Facilities that are New Sources of Fine Material:** The current pending application for Registration under WMGR097 provides that as a standard operating practices, HCP will identify all facilities or locations that will be a new sources of fine material for the project and provide the results of the initial testing of the material that confirmed it meets the applicable acceptance limits. As part of this process, HCP will submit this information to DEP, along with a certification that Best Management Practices (BMPs) were followed that will achieve equivalent or similar performance as that outlined in the BMP procedures contained in Attachment 20 E 5a of the HCP application. If DEP does not raise any objections or questions within 10 business days after receipt of the information, HCP will proceed to accept the material from this source.
6. **Organic Content and Testing of Fine Material:** HCP wishes to confirm that the existing application provides for testing of the organic content of the material at the standard frequency. In addition regular regular compaction test will be performed and

the results of both will be provided to DEP on a quarterly basis. This information will be used by HCP on a continuing basis during the demonstration project to compare the physical and chemical content of the fine material and mix ratios to the compaction levels achieved to identify the optimum mixture and content of the fine material for the ongoing project and for potential future use in the Commonwealth under a Statewide Beneficial Use General Permit.

HCP believes this submittal is fully responsive to the Departments technical comments on the application and clarifies the proposed operation plan and procedures for the demonstration project.

If you have any questions or require additional information, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark M. McClellan', written in a cursive style.

Mark M. McClellan
President