



Pennsylvania Department of Environmental Protection  
Bureau of Waste Management

PA Waste LLC  
Camp Hope Run Landfill  
Public Hearing  
Boggs Township  
Clearfield County

COMMENT RESPONSE DOCUMENT  
Public Hearing Date: July 23, 2018

January 2020

### List of Commentators

1. Jodi Brennan  
Director, Clearfield County Planning and Community Development  
Office
2. Mark McCracken  
Commissioner, Clearfield County
3. Paul Bruder  
Counsel for the Clearfield County Commissioners
4. Rich Hughes  
Consulting Engineer, Local Historian
5. Kim Bloom  
Director, Clearfield Chamber of Commerce
6. Marven Smith
7. Albert Adams
8. Ryan Sayers
9. Dave Abler
10. Robert Rovner
11. Steven Rovner
12. Delbert Ball
13. David Wulderk
14. Kevin Reese
15. Vanessa Reese
16. Tim Potts
17. Lynn Herman
18. James Leitzinger
19. Fred Rougeux

20. Jim Parks
21. Edith Schrot
22. J. Rudolph Schrot
23. Katie Gregoire
24. Dean Rodkey
25. Lewis Aughenbaugh
26. Roger Gallaher
27. Steve Harmic
28. John Vargo
29. Bruce Bliss
30. Victoria Beck
31. James Cling
32. Rick Swatsworth
33. John Millesell
34. Joe Kendrick
35. Jacob Kendrick

List of Letters Received

1. Edward L. Wisor
2. Renee Alexander
3. Mike Sekula
4. Evelyn B. Natoli
5. Judy Nisewonger
6. Annette Bickle

7. Jodi Brennan  
Director, Clearfield County Planning & Community Development  
Office
8. Antonio Scotto, John A. Sobel IV, Mark B. McCracken  
Clearfield County Commissioners
9. David Fetterhoff  
2017 President, Clearfield-Jefferson Association of Realtors
10. John Kaskan  
Chairman, Clearfield County Planning and Community Development  
Office
11. Lyle Millard  
Chairman, Clearfield County Solid Waste Authority
12. Kraig Kephart
13. Darryl Lashinsky
14. Marven A. Smith
15. David Visnofsky
16. John Deacon
17. Lynn Herman
18. Terri Davis
19. Ralph Swales, Jr.
20. Jessica Lazeration
21. Wayne Clifton
22. James E. Beck
23. John Bumbarger
24. Debra E. MacTavish
25. Charles MacTavish
26. Bill Ammerman

27. Margaret B. Buzzanca
28. Elizabeth P. Richel
29. William Bock
30. Mark Leitzinger
31. Sherry Boyles Wood
32. Merle Hayward
33. Robert L. Montgomery
34. Leon & Sandra Brown
35. Ben Blakeslee
36. Dennis N. Wood, Jr.
37. Terry C. Smith
38. Dianne Bowser
39. Patrick E. & Maureen Flegal Reardon
40. Gigi I. Gearhart
41. Edward K. & Linda M. Bell
42. Jim & Sharon Hazlett
43. Adam Hazlett
44. Robert Anderson, Jr.
45. Jim & Shari Collins
46. Sheldon & Tammy Graham
47. Cheryl Smeal

## COMMENTS AND RESPONSES

### General Topics

1. **Comment:** The harms/benefits comparison is the main test that DEP looks at and weighs the harms versus the benefits. What I want to bring to light tonight is that through the host municipality agreement and various verbal agreements, PA Waste has made certain promises that have been taken into account that are benefits. DEP has recently issued another letter saying that the benefits do outweigh the harms. I believe that these benefits are contingent upon PA Waste actually following through and constructing a landfill. However, if you look at the facts revealed in a lawsuit filed in Philadelphia, Delibero & Luber versus PA Waste and Robert Rovner in a civil lawsuit, it makes very clear in this lawsuit filing that the PA Waste partnership is not planning on finishing the construction. It says on page four the intent of the PA Waste partnership is, and I quote, "to acquire the land and necessary permit for a municipal waste management facility to sell on the open market." Secondly, on page six, it says on October 28, 2003, PA Waste was formed as a managed limited liability company to acquire the land and the necessary permitting for a municipal waste management facility in Pennsylvania for sale on the open market. Now, what I'm asking for and putting on the record that the harms/benefits be reconsidered, and the fact that it's on record in a court filing that PA Waste is not planning to build a landfill, they're planning on putting this on the open market, the land and the permit. The benefits should be discounted because they are never going to be here for the end of the project to see it through and make sure that the benefits are followed through on. There are a lot of promises that have been put on for jobs, for tipping fees, all number of things that are called benefits, and I believe they should be discounted.

**Response:** If PA Waste ultimately decides to sell the permit, it would not change the Environmental Assessment evaluation. All permit conditions, including those that incorporate the Environmental Assessment, remain in the permit. Additionally, prior to any Department action to allow a permit transfer, the new owner would be required to agree to all terms and conditions of the application and the permit and comply with other applicable requirements.

2. **Comment:** DEP Connects is a new program that seeks better ways to work together effectively and carry out DEP's mission to protect the air, the land, the water and provide for the public health and safety of the whole community. It's complicated because the state really would like to clean up some of these areas that have been destroyed, first by clear cutting the timber, and then next in the process of the clay business, setting different types of lines. And then later on, they stripped it, raped it and ruined the water in two different creeks there.

**Response:** The site is a historic mining and timber site that has had significant issues with minerals and AMD, as such the permittee will be required to address the environmental issues that resulted from the previous operations.

3. **Comment:** Our mission as the chamber is to promote and enhance the greater Clearfield business environment, stimulate our economy and assist in the creation of sustainable community for our residents and visitors. Prior to becoming the Chamber Director, I was a Commonwealth employee. I was employed with the Department of Conservation and Natural Resources for 33 years. I worked closely with DEP on various DCNR projects. One of my offices happened to be located in the DEP office in the Meadville area. Their goal tonight is for us to review the permits and make comments on the permit application itself and not get emotionally upset at them because a landfill could be going in our backyard. That truly is easier said than done. To the best of my ability, I have reviewed the municipal waste application for the permit to construct the proposed landfill in Boggs Township. The 51 deficiencies that DEP have identified include an incomplete wetland review and traffic study, just to name a few. DEP has also not received additional data indicating the landfill would not be contaminating the groundwater in our area. The permit says that approximately 217 acres is proposed to be used for a lined disposable area with additional acreage used for support operations for a total permitted area of 845 acres, and to potentially operate for 21 years. We must consider what the long-term impacts of that area will be. My youngest grandchild is five years old. When he becomes 26 years old he will probably be married and starting a family of his own. How will this landfill impact his childhood? Will he be able to safely drink the water? We also need to consider what happens when the landfill will be at capacity. What happens next? Does the owner then have to compact all of that and build a landfill on top of a landfill? What's the long-term plan of a landfill once it's at capacity? You go through the process of signing the permit, but what is the proactive strategy as the dump exists during the 21 years? Does DEP do site visits during the 21-year timeframe? Are you able to find the owner during the life of the project? How does DEP monitor this project after the permit is signed? How is the landfill monitored for proper maintenance as well as the management of the landfill and the effective control of odor emanating from the landfill in such that odors do not constitute a nuisance or a hazard to health, safety or property? My last question, how many permits have you denied because of public outcry? My guess is none. And the public meetings are just a formality and its part of the permitting process. I think DEP is doing their job by following the rules and regulations by upholding their duty as servants of the Commonwealth but integrated in these guidelines need to be the spirit of the law, which needs to be included in DEP guidelines. You need to consider all the repercussions of your decision on granting this permit for all the people in Clearfield and surrounding areas as well as the future of our children. Thank you

**Response:** Public opinion means a lot to us and we want to know the thoughts and desires of residents. It is always a benefit to us when additional people review the information of a project. DEP employees inspect landfills during construction and operation, and after closure. During operation, groundwater must be monitored to assess whether any contaminants are introduced by the landfill. During the landfill's operation, DEP employees regularly inspect the landfill and review groundwater monitoring results. Prior to any Department action to allow a permit transfer, the new owner would be required to agree to all terms and conditions of the application and the permit. The DEP continues to enforce all terms and conditions of the permit for the life of the facility and requires the proper closure of the site in accordance with its regulations after the landfill has reached full capacity.

4. **Comment:** I'm an attorney here in Clearfield. As a disclaimer I am here personally and not on behalf of any of the organizations that I serve on the board of, am solicitor for or am president of. With that said, so why be here this evening? What is the purpose of these administrative public meetings? Where do these meetings fit into our legal system and represent the democracy form of government?

There are twofold reasons for this process. First, is to give the public the right to point out the flaws in the application process, and the environmental concerns that might be neglected or overlooked by the applicant. Second, it should serve as a check and balance on the administrative process. During my first year of law school all attorneys are taught how to read statutory regulations, and in particular, look for certain keywords that describe the action that is to be performed or prohibited. In the PA Code, Chapter 25, Section 273, dealing with municipal waste landfills, it says applications shall contain the following and proceeds to list a plethora of items required for the permit. However, as the Department states in its deficiency report of May 9th for the Camp Hope Run site, there are approximately 50 of these "shalls" that were not adhered to by the applicant. A few of these that are the most concerning, but not limited to, are number six - missing rock and soil cross sections, number 20 - the private water supply on a nearby property, number 29 - seeps and discharges that could not be located on the applicant's map, and the entirety of six, as to bore holes and underground structure. Based on other speakers, I would argue in actuality that some of these deficiencies were intentional by the applicant because as you heard, the truth of the ecological and practical situation at the site would prohibit the trash dump from existing here. The traffic, soil, strata and water issues alone should be a major concern for anyone that takes environmental protection seriously. The fact that it would not take much for the local water table as well as Camp Hope Run, Clearfield Creek, the west branch of Susquehanna and the Chesapeake Bay Watershed to be completely devastated should be more than sufficient to reject this permit if the agency is truly interested in the health, safety and welfare of the population living in such proximity to this proposed site.

I understand the reality of these administrative meetings. Our elected legislators and governors many, many decades ago turned over some of the government's power to administrative agencies and bureaucrats. In the statutes that established these powers to the agencies, a check was put in place which allowed for public input, hence these types of meetings. However, unlike the elected representatives that we get to directly vote for or against, there is little to no recourse against the people, like yourselves, that make the decisions in these administrative agencies, which directly affect us, the people in this room. Hence, I am aware that almost all these meetings are purely to adhere to the statute, and that little that we say will change what is going to happen. However, I ask you to prove me and the public perception wrong. You have a super majority of the people against this permit, as was demonstrated by the raise of hands earlier because of these environmental concerns. Truthfully, it would only appear that those few people that are for it are so because they have a financial interest in it, regardless of the environmental impact.

You have a very legally flawed permit application before you that intentionally or otherwise fails to address some major environmental concerns, which could create a major



environmental disaster for this region. Also, you have a vast majority of people against this trash dump, something that you would personally not want in your backyard if such environmental concerns existed. Thus, upon review, please deny this permit for the sake of the Clearfield community.

**Response:** The permit application was reviewed for compliance with all applicable environmental laws, regulations, and policies. The DEP will only issue a permit if the applicant demonstrates compliance with these laws, regulations and policies, and any identified deficiencies have been adequately addressed.

5. **Comment:** I am a Boggs Township resident. I'm also a professor of agricultural, environmental and regional economics and topography of Penn State University Park, associate department head at Penn State University Park and a principal and co-owner of a consulting business called *By The Numbers* which specializes in statistics. What I would like to do here this evening is spend my few minutes using the expertise that I have in economics and in statistics to comment on the environmental assessment analysis. This is the document that several of the other speakers have talked about, which was released by DEP in early May, the one that found that the benefits exceeded the harms. I'd like to comment, first of all, on the real estate value portion of this environmental assessment analysis. I think the presence of most of us here signify that people don't like dumps. In fact, people have very strong feelings about dumps. They don't like the noise, they don't like the truck traffic, they don't like the potential for land and water contamination, odors and a variety of other things. All of those things then are going to be reflected in the value of the homes and businesses that we own in this area. The environmental assessment analysis recognizes that operation of a landfill is a potential to harm the real estate values. But it mistakenly focuses on only three properties; two residential properties, which are 2,500 and 3,000 feet from the landfill, and then a hunting camp, Camp Rattlesnake, that is adjacent to the proposed landfill. Those are the only three properties that the environmental assessment analysis focused on. They failed to recognize the possibility that properties of much further distance than 3,000 feet from the proposed landfill would have their value reduced by the fact that this landfill is in our community. Instead, they defer to speculation. DEP defers to speculation by PA Waste that because of the nature and location of the site - I'm just quoting from what they wrote - in conjunction with our truck areas, the impact by the landfill on property values would be minimal. This is something that a lot of economists have looked at. And there have been many studies of how landfills impact property values. There was a review, a systematic review of 46 of these studies, that contained a total of 129 estimates of the impact of landfills on property values that was published in 2011. These studies have an average geographical range - in other words, the range from the location of the landfill to the furthest property studied of about 6.7 miles. That's a lot more than 3,000 feet. If you're wondering what is within 6.7 miles of the proposed landfill, well, it's virtually all of Clearfield Borough, all of Boggs Township, most of Bighorn and Lawrence Township south of I-80 and parts of other townships, such as Bradford, Decatur, Knox, Morris, Pike and Woodward. So the negative impact of this landfill on property values is going to be much wider than the environmental assessment analysis claims. Let me point out that these are studies of what has actually happened to property values in other areas as a result of landfills, not speculation by anyone at DEP about what might happen.

I'd also like to address employment by the landfill, which is one of the claimed benefits in the environmental assessment analysis. The environmental analysis references a statement by PA Waste, again quoting, they anticipate hiring 20 full-time employees with an annual payroll of \$712,000. The applicant also estimates 15 to 30 seasonal employees due to construction activities. If you look at the documents put on the DEP website, most of the labor expenses after the construction of the landfill that are listed in PA Waste's proposed landfill budgets are for what they call driver/equipment operators and scale masters, which are activities that are ripe for automation to robotics. I can assure you over the 21-year life of this landfill, if it goes through, there won't be that many people working there for very long, it'll be robots. Those robots will not be sourced from Clearfield County. They'll be sourced from wherever they're manufactured, in China or Japan or wherever it might be. Also, with respect to employment and construction activities during the construction period, you know, there's no guarantee of course that the local residents would be hired to these positions.

**Response:** The Environmental Assessment considered the potential impact to property values. The siting of the landfill complies with 25 Pa § 273.202(a)(10) which states that "A new landfill cannot be operated within 900 feet measured horizontally from an occupied dwelling..." The applicant has noted the line of sight impact for 585 residences within a three-mile radius of the site. Of those evaluated most have obstructions or are of significant distance. Only two remain that are slightly over  $\frac{3}{4}$  a mile away that may have sight of the landfill operations. While it may be possible that some landfill jobs may be automated in the future, we are not aware of landfills that rely primarily on automation or robots.

6. **Comment:** I am an attorney and I am an agent and representative of PA Waste, who is the applicant for this landfill. I know how people in this community and in this room feel about the landfill. There are a lot of people who are not here as well that support the landfill for the reasons I'm going to talk about now. Anyone who wants to look at the information I'm talking about and get some more details about the positive aspects of the landfill, there is a website- [CampHopeRunLandfill.com](http://CampHopeRunLandfill.com). Everything that I'm talking about is on that website. There are two important aspects of this landfill. The first is the economic benefit and the environmental benefits. Now these are staggering, earth shattering benefits that this landfill is going to provide to the area. Many of you have not been on the land and don't know what's there. The previous owners of this 2,000-acre property strip mined it. They clear-cut the timber and they created a brownfield situation. This property is designated as a brownfield site. Not only this property, but properties on the other side of the highway. Run off from across the property creates acid mine runoff that goes into the creeks. It goes into Camp Hope Run, into Sanborn Run, into Morgan Run. The landfill project is a state-of-the-art lined landfill that is being used all over the country now in new modern landfills that captures this waste. Also, there's going to be a treatment plant on the property that's going to treat the acid runoff in addition to what comes from the landfill. When the water gets discharged back into the streams, it's going to be cleaner than it's ever been probably in the last 40 years. You're going to start having clean streams. It's going to clean up problems that are going on in this property that affect everybody here that nobody wants to really recognize. If you go onto the property or talk to anybody that's worked that property, you'll see that there's a

major problem that's visible to your eyes. It's not under the surface. You don't have to do water tests. You can see it on the surface. That's created from the previous owners. This landfill project is going to clean that up. In addition, this is going to provide \$369 million of economic benefit to this area. It's not just the host agreement with Boggs Township, where they get two dollars a ton, which would give them \$54 million in their coffers over 21 years. I come from Bucks County. I come up here for business, but in Bucks County we have a landfill, Tullytown Landfill. Go on the websites and look at Tullytown. Tullytown had the same situation. It was a small municipality and they put a landfill in. In fact, they expanded it afterwards. They used to pay taxes, but they stopped paying taxes. Not only will this help the taxes to go down, but in their situation, they get checks every year for the operational life of that landfill. The property taxes are going to go down for the residents in the area. The property taxes are going to go up for the landfill. That extra money goes to all the school districts in the area. Additionally, there are state fees that are paid. That's a couple hundred million dollars to go to the state. But the money is all designated for purposes to improve public infrastructure, to protect the farmland, to repair parks, improve water quality and to make environmental improvements. That's all to better everybody's lives here, in addition to the jobs. The jobs aren't just the full-time jobs that are going to be offered to people in this area. There are jobs that are also part-time because there has to be construction and a closing process. It doesn't just open up, operate for 21 years and it's done. It's constructed, it's operated and there's a closing section when the landfill is covered up, trees and plants are planted and it's basically like a parkland that people can hunt on and use. But everything's hidden underneath. It sounds funny, but if you go online and look at these things that's the way modern landfills work and it's really an incredible thing to see. I know you're skeptical. But I tell you to go online and look at some of these sites, because you'll see how it works. And it really is a benefit to the environment, especially where you're in a situation with a polluted property beforehand. Finally, all of these people that are coming to the property, that are working the property, they're going to need all the services from the businesses in the area.

**Response:** The DEP has independently reviewed the harms and benefits claimed by the applicant as part of the Environmental Assessment.

7. **Comment:** It's a privilege and honor to be with you tonight. When we started the first application, we were not mandated to have a public meeting, but we did. We sent notices out. I forget the exact location, but the room was full and we answered all the questions, because I respect the will of the community. I was a prosecutor with Ed Rendell and Arlen Specter, so I respected the will of the community then and still do. I enjoy coming around and talking to all of you. There's a lot of misconceptions. For instance, when someone says you're going to use robots instead of people. I promise you we will not use robots; we will use people. I'm glad they mentioned that the other township where there's a landfill pays a dollar per ton as a host fee. Well, the people of Boggs Township were wise, and they got us to agree to give two dollars a ton, twice as much. That means that Boggs Township, they'll get \$54 million in revenue. That means they'll have ball fields, ambulances, and different things that they don't have now. They won't have to pay taxes. Tullytown, they got about \$4,500 a residence. Today's landfill is not like the landfills that they had 45 years ago. It's almost impossible. I know; I've been working on it for 15 years now, to get the landfill to be

approved by the state. Years ago - 45 years ago, there were landfills with no liners, and it was dangerous, and all the things that you're worried about. It smelled and it was terrible.

Some of you brought out that there are some deficiencies. That shows that the DEP is doing their job. When they say there are deficiencies, they check the application, and we have to correct that. We have spent millions of dollars on engineers and other ways to get rid of those deficiencies. That's the reason that they said the benefits outweigh the harms. Believe me, DEP has your benefit at stake because as I say, it's almost impossible to get a landfill in Pennsylvania now. We have a website, *CampHopeRunLandfill.com*. Go there. It talks about many environmental protections and about the \$369 million that will benefit this community. And then it's ripple effects. People who use that landfill will come here to eat. The community will benefit.

We thank you for coming. This is truly democracy in action. I think the public officials are interested in getting jobs, getting tax revenue, and we will take whatever you say. And you can write to us, you can call us. Someone said that I may not have been there at the last meeting. I was at all the meetings, including, as I said, one meeting that was not mandatory that we asked for. We wanted to get everyone's input. Down in Bucks County, they say it's a no-brainer, especially the people in Tullytown. Originally, they weren't, but now they're all for the landfill because it meant no taxes for them and it benefited the community.

**Response:** The DEP has independently reviewed the harms and benefits claimed by the applicant as part of the Environmental Assessment.

8. **Comment:** I hope people take the advice to bring it in by rail. I support the Boggs Township Landfill. I support anything that brings employment and tax revenue to Clearfield County. It will provide us with 20 full-time jobs. It will help clean up the strip mine site, and the property taxes would rise from about \$10,000 a year to \$187,000 a year.

**Response:** The DEP appreciates and acknowledges the comment. The Department does not have the authority to dictate the use of rail access and must evaluate the application as submitted. Additionally, based on the rail line's website, the portion of the line that would serve this site is no longer active.

9. **Comment:** I support the approval of Pennsylvania Waste, LLC application for a landfill beside Boggs Township. I was born and raised in Philipsburg and graduated from the Philipsburg Area School District. I am a former state representative, having served portions of Clearfield and Centre County in the State General Assembly for 24 years. During this time, I was part of passing labor legislation to encourage businesses and entrepreneurs to go into dilapidated, polluted, underdeveloped sites in Pennsylvania to restore them to original condition and mitigate the pollution thereof. That was the Keystone Opportunity Bill legislation, Keystone Innovation Bill legislation or the Brownfield legislation. The Department of General Assembly is sort of a consulting business, involving controlling businesses and impacts. I was very heavily involved. I worked with a company that had a landfill in Rush Township in Centre County. I had an opportunity then to visit several landfills in central and eastern Pennsylvania. I interviewed the landfill operators and the

township supervisors regarding the economy, the environmental and residual impacts the specific landfill had in their municipality and area. A landfill constructed and done properly can provide for a tremendous level of economic benefits, job creation and mitigate environmental pollution in those areas. That's kind of how I find the beauty of where I worked for before, and also this application. We know that in Centre and Clearfield Counties our land has been scarred for many, many decades by coal mining. Results thereof, mar the land and our waters with tremendous sulfur pollution, which has not been mitigated whatsoever. This application will provide for this company to come in and provide potential job creation and revenues for the area. It also will mitigate and resolve some acid mine pollution that we have in this area. But I want to share with you some of the things I found out in visiting various landfills in eastern central Pennsylvania, that were hosted in municipalities such as Boggs Township, and districts of people who acquire the benefits thereof. My research in these six landfills revealed much commonality, as well as differences in how each municipality negotiated those agreements and how the locally elected officials in the community chose to disperse these funds derived from landfill operations and that host agreement. All six landfill companies have an agreement with local boroughs or townships that generate substantial revenue for municipalities - revenues they use for the community benefits for citizens and local school districts. The amount of funds that these six landfills produce range from \$184,000 per year to \$2.3 million per year. With these landfill revenues the host municipal officials have been able to lower or stabilize the tax rates. In fact, they have not had to raise local taxes for over a decade. And in one case, the municipality was able to win two different factors - the per capita and occupational standards. In addition to not having to raise taxes and the opportunity to limit local taxes, each of those host municipalities have substantial infrastructure, public safety and investments on behalf of their citizens. The officials can use their newfound money to purchase materials for road and paving and maintenance equipment, police cars, streetlights, parks and recreational equipment. They can provide additional money for their fire and ambulance companies, their senior citizen centers, libraries, walking trails, and impart a greater standard of living all without acquiring debt. And local school districts benefit in addition to the host municipalities. Of the six landfill operations I researched, all the local school districts benefit from the state taxes generated by the landfill company, benefits ranging from \$12,000 to \$124,370 per year. A landfill properly constructed is environmentally safe, provides benefits to you and to the people of Boggs Township and Clearfield County School District, it will provide great funding opportunities for all of your public service opportunities.

**Response:** Thank you for your comment. The site is a historic mining site that has had significant issues with minerals and AMD, as such the permittee will be required to address the environmental issues that resulted from the previous operations. There are fees required by regulation and acts which are paid to the state and the host municipality. The state fees are earmarked for specific environmental initiatives, but the use of the host fees is at the discretion of the municipality.

10. **Comment:** PA Waste went straight to Boggs Township, completely neglecting Clearfield County or anything else with tipping fees. The township that's going to be most impacted by this if it goes through is not Boggs Township, it will be Lawrence Township. Police

protection, investigation of accidents, the fire trucks, the cleaning up and everything else. Lawrence Township is going to be the one that's burdened with the most debt. And it's been completely neglected.

**Response:** DEP does not involve itself in the development of local agreements. The regulations and the act require an agreement with the host municipality but do not prohibit additional agreements with other municipalities. The DEP is aware that discussions between PA Waste and Clearfield County have occurred.

11. **Comment:** On the internet I found PA Lawyers against landfills. It showed \$5 million in lawsuits and stuff. It's like a parking ticket to these guys.

**Response:** Thank you for your comment.

12. **Comment:** A question for developers, would you be willing to move out of your happy house and move down to one of the houses down there, for 25 years, as long as the landfill is going to be operating?

**Response:** Thank you for your comment.

13. **Comment:** The landfill lacks clear benefit. The second benefit the landfill claims is a boost to the Clearfield economy. However, these benefits rest on the assumption that the employment and use of services will happen and be local. These benefits will only last for the operational life of the facility and are small in scope and not quantitative. Therefore, the benefits are both potential and minor, and do not justify the landfill's construction.

**Response:** Operation of the landfill within the area increases the tax base and local commerce in addition to job creation and use of the community's support services. These benefits are not speculative.

14. **Comment:** I am not an expert, but I am here as a citizen of Clearfield County. My family actually are settlers of this town and I've lived along Clearfield Creek since 1979. For all those years, I have watched the creek. I have tried to be active. I've talked to Camille George. I've done everything I could do to bring that waterway back. I haven't been successful in anything yet. But I know that there are organizations that have worked with the Susquehanna. I know that there are many people who are involved in Little Clearfield and so on. You folks are representing the people who are passionate about our town. I'm glad to be here with you. The experts have been here are talking about various technical things that are wrong with what's going to happen if this dump is permitted by the DEP. I'm not angry with the DEP, because I think they try very hard. But the DEP cannot remediate anything, any broken trust, and there's been a lot of that in the whole industry. Bonding only works as long as the bonding is effective, and it only goes so far. We have all experienced that in our county. I am trying to actually stand here before you guys and say even though technically some of these things that they're promising may be acceptable, I think you need to look at the human equivalent here as well. And realize that in our county we have been affected by industries taking our natural resources and despoiling our lands for too long. Why focus on

that? The remediation that they are promising for the coal industry. I remediated a 1940s high wall on my property; I know what it takes. It wasn't very big and I'm not a rich person. But I did my little part. I understand that nobody can fix it completely; I certainly couldn't. The DEP, if you're considering this, are you considering the synergy between the gas wells that have been permitted? Are you considering the logging operations that are going on and the fact that there is that fracture and we are on the Burgoon Sandstone? These are all things that need put together. They don't stand alone. We are at risk from a lot of this, as you all well know, around the country. So, I think that that's something too that needs to be considered. I'm speaking from my heart and soul and love for this town. I wish you would reconsider and not approve this, as many of us wish you would.

**Response:** The treatment of AMD currently generated at the site from the previous mining operation will provide a clean treated discharge in turn aiding in revitalization Clearfield Creek. The regulations do not allow for drilling horizontally or vertically within the landfill footprint. The site has been evaluated for geologic formation in accordance with the regulations.

15. **Comment:** I am a child of this community. To be quite frank, I'm not too happy about it. I don't think any of us are, other than three or four people. I know a lot of people. I'm speaking out of my heart and my love for my community and the people that are in it. I had a friend who was considering moving here. Do you think they're going to even bother considering it any more if there's going to be a garbage dump that's blowing downhill from where they're going to live? I have a cousin, a family, our family, they live right up the road that the garbage dump is going to be on. I care about my community, and I care about what we put in it. It's bad enough with all the fracking and stuff, and the coal mining.

**Response:** The landfill must comply with all applicable laws, regulations, and permit conditions, including air quality regulations.

16. **Comment:** I was at the last meeting at the lighthouse. I registered. DEP had promised to send me their findings in writing of my comments and everybody else's comments that spoke. I never received that. You do have my email address. I would like the findings.

**Response:** The Department held a public hearing on January 22, 2013 at the Lighthouse Evangelical Church in West Decatur concerning the prior permit application. The comment and response document developed from that meeting was posted on the Department's website with the relevant permit application. That site has since been updated to reflect the current permit application. The comment and response document from this application will be handled in the same manner.

17. **Comment:** How come no one talks of a recycling plant like the State of Minnesota has where 120 people work good-paying jobs. How about an incinerator? How about we harvest the water from the five springs on that property to generate electricity to hook to the main power grid that runs close by to this property? No one talks about that. But yet they pass laws and institute regulations where we're got to dispose of our trash, right, we have to recycle. We need a few more recycling centers to recycle the products that each and every

one of you throw out into trash. The county's done a great job of cleaning up landfills and dumps through the area. There are people who go places to dump stuff. And some people who have big properties are actually putting little dumps on their property for their family because there's nowhere to take this stuff. Now, I have a vision - I have a dream. You dump your stuff on a big black conveyor belt and it runs 200 yards to an assembly line with people dressed in safety material, breathing apparatuses, and they recycle. And then we grind it up. They're putting garbage in blacktop nowadays. They're doing a lot with garbage. As you can see, China has closed down because of the plastic in the cities. Cities are banning straws because they're like cigarette butts. When I'm done with it, fling. I think everybody who throws a cigarette butt on the ground should be fined \$5,000. Some of you people probably missed work tonight. Some of these people took financial burden to be at this meeting, because they're concerned about their family, their water, our area. Our tourism board, they're spending thousands of dollars to bring people in to spend their money in our county and see the things we have. Oh, here's Bilger's Rock, here's Curwensville Lake, here's Chincó, a moose. Oh, by the way there's also 2,000 acres of landfill that we'll never use the rest of my life, that little boy's life and who knows how long. I don't see them building buildings on landfills.

**Response:** By regulation, landfills are required to provide public recycling facilities. In this application, PA Waste commits to providing recycling of at least four materials, to include glass, aluminum cans, cardboard, and plastics.

18. **Comment:** I've been a garbage man since 1972. I've been in and out of landfills ever since, lined and unlined. When I was a little kid, I thought there was a boogeyman in my closet. I'd have my parents put the light on. For a while then, that was okay. That's what you people remind me of. It's like you've got 101 reasons...it's a landfill, it's coming, and it's bad. Let me turn the lights on for you. I've been in the landfills. DEP is behind this. They're educated people, they're not just some dumbbells out at the thing. They know what they're doing. The legislators put the laws into effect to set in the landfill. DEP enforces them, and your cops and weigh boys and all them, they come, and they do the traffic control. There's nothing that's not governed. What's everybody worried about? Everything is doom and gloom. I've seen this ad that said blinded to progress. It's about the traffic. When the ethanol plant was put in I heard nothing about traffic. That went in, and all the permits that they needed, that went in. It was a whole list done like that. What else do I got? Wal-Mart, the distribution center, that went in. Nothing was said about the traffic. All these, they were all with open arms. You had them come in with packs and everything else. But if you mention landfill, everybody is, "oh, no". I tell you what, garbage goes somewhere. For 30 years, I've been running them mountains, taking it up there. I get out over Penfield Mountain and into Penfield. We go through there and there's garbage trucks, there's tractor trailers, there's tri-axes hauling stone. There are all kinds of traffic coming from up Warren way. If Penfield can handle that traffic, Clearfield has no problem with it. Penfield's roads aren't super highways. I doubt I've seen three wrecks with all the trucks. If you want to look at traffic, you go to Penfield where your garbage is going, and has been going. And your garbage folks, I pick up garbage, nobody smells like a rose. I don't see a stinking pile and not pick it up. No, you put it in the truck. Wherever your truck stops, you go get the garbage. We pick it up from all you people. I start in the morning clean and dry. I know a



lot of times I'll be driving up there and they're hauling that sludge, whether it's full or empty. Yeah, I wish I wasn't behind it either. But some things are a necessary part of life. And a landfill is one of those necessary things until they can come up with something better. And the same with the sludge, it's got to go somewhere. Everything's got to go somewhere. And trucks are by the means that things are transported. I'm in favor of the landfill.

**Response:** Thank you for your comments.

19. **Comment:** In our local economy here in Clearfield County, it has been an uphill battle for 75 years to secure jobs. That situation will continue with or without this proposed landfill. The promise of jobs by those who support the Boggs Township Landfill is indeed hollow to the point of being a cruel deception. The landfill will offer, in fact, only a tiny handful of local jobs, and huge profits for landowners and out of state garbage interests, and I stress out of state, where this stuff will be hauled from for the most part. If these landfills secure so many jobs, then other areas unfortunately would probably scuttle their environmental concerns and invite them into their locales. If landfills are so safe in the long term and such magnificent job creators, then areas all over Pennsylvania and all over the United States would be hotly competing to have them. That just isn't the case. Where was a landfill ever welcome without out-of-state trash in a small area, especially on the premise to improve the local economy? Do landfill supporters offer an ironclad guarantee that their dumps will not degrade what good water we have left? I don't believe so. Why make an already bad situation worse? As Representative Bud George often used to say, "if you lose water you lose everything." His raw courage in opposing these landfills was a stellar example of truth and honesty in legislation and in governance. The types of waste put into this landfill could fluctuate day by day. One day the waste may contain lead. One day it may contain medical waste, etcetera. No water treatment can keep up with this sudden change of intake and properly treat the byproducts on a daily basis. Liners leak. Irreparable damage will be done to the water table long before those who monitor the situation are aware of the damage done. What landowners or anyone else who supports this landfill, would want to buy a home along Park Avenue in Clearfield Borough or anywhere near Pennsylvania Route 153 and listen and watch and smell the endless streams of huge garbage trucks as they roar by? The landfill they support would make these homes a real buyer's bargain. God help those who live anywhere near the route from Interstate 80 to the landfill. For one to place such a horrific burden on others and then turn their backs on them afterwards as a downside problem is a sin indeed. It violates the Golden Rule and the accepted rules of decency. If waste, if it is contracted to be hauled from a southern direction, it may well be routed by Route 453 and Route 153 as a shortcut to connect I-99 and I-80. And I understand that weight limits on the roads have been lifted. The steep grade on Tyrone Mountain may well be a number of fatal traffic accidents waiting to happen. I know, I'm from that area. The horrendous truck traffic on Route 153 has the potential to delay ambulances on the way to Penn Highlands Hospital in Clearfield. The life of a cardiac arrest victim will not wait for a line of trucks to slow down and turn into a landfill. If owners of this proposed landfill someday sell the place, then what guarantees can the new owners offer to guard against traffic hazards and water pollution? Is this landfill being proposed simply to be installed and then wantonly sold to irresponsible new owners at some point in time? The installation of this proposed landfill will harm the quality of Clearfield County and will do nothing to enhance its economy. It

will leave irreparable environmental damage and a dangerous possible risk. The long-term harm will outweigh any of the short-term profits. The Pennsylvania Department of Environmental Protection needs to live up to its good namesake title and protect the Clearfield County's overall environment. You already heard their mission statement. In Ancient Athens in Greece, young men swore a patriotic oath of allegiance to their beloved city state upon becoming a citizen at the age of 18. They ended their oath by swearing to leave Athens a better place than they found it. All of us should put that ancient wisdom into practice here and now. All of us owe a decent quality of life to future generations.

**Response:** All traffic, related or not to this proposed project, is expected to follow traffic laws. A Traffic Impact Study was completed which included evaluation of the entire approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts, about ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.) This condition applies regardless of the ownership of the landfill.

The regulations clearly state liner and construction requirements in order to protect the environment. As such the design of this site is a double lined system with leachate collection and detection as well as ground water monitoring.

Due to laws that limit the regulation of interstate commerce, the DEP does not have authority to prevent out-of-state waste from being disposed at the landfill.

20. **Comment:** I live out in Spring Valley. For the last 20 years there's been gossip about the landfill paying real estate tax. I'd like to say I oppose the landfill. It's like over in State College, they put in some things over there and all they did was raise the taxes after they did all the work. About the landfill going in for the water qualities...all it's going to do is ruin the water.

**Response:** The permit requires the construction of a water treatment facility that will treat leachate from the landfill and water impacted by historic acid mine drainage. The treatment facility will have a positive impact on surrounding streams that are currently being impacted by this acid mine drainage.

21. **Comment:** I've lived out there for 40 years. They say not my backyard. It is exactly my backyard. Mr. Rovner has taken me to dinner and bought my lunch. He's tried to convince me how great it would be. He's even made offers to buy me out. I said no. I put up with the BFI landfill about a half mile from my home. I've got rats and rattlesnakes and bears in the driveway from landfills. This is what happens. They tell you how good it is. They don't tell you how bad it is. I even had to put up with sludge. You name it; I've put up with it out there in these 40 years. I heard these people get up and say, "we're on the lease, we're doing great." You should have been there when it wasn't great. Right now, they have what they call a brownfield. Well, two years ago they chipped all the timber that was there and made it worse. They made more skid marks and more erosion into the creek, into the big creek, into

the river. I don't see DEP out there stopping them when they're doing their timbering and stuff like that. If they strip it, you've got to have erosion control and so forth. There's nothing that's really changed in the last ten years since they denied this permit. The traffic has increased. I mean we all know it. As far as property taxes go, nobody's ever reduced my taxes for what I had to put up with. Philipsburg is now saying they're going to raise my school taxes. Everybody in Boggs Township and Clearfield County is going to get their taxes increased. They also said there was Camp Rattlesnake on a four-acre piece in the middle of their property and two homes. There are also four camps within 400 yards of my home. I haven't heard anybody address them as to how well they're going to make out. They're not going to do anything at all. Nothing's changed. What's going to change when they did all this environmental stuff ten years ago and they said it was no good. What has changed to bring this back up again? I mean, they've brought real estate agents out and everything. They really want this bad, they do. But when these people get it they're going to sell it. There are no ifs, ands or buts. When Barachetti got the last landfill out there, the day he got his permit he sold it for something like \$7 million. He was gone. He was out of the business. These people are going to put in all kinds of water treatment and they're going to do this, this and this. We're talking millions and millions of dollars to make these billions of dollars. So how many of you people have been offered to get a dime out of this? Not one of you. So far, the rich to get richer, the poor have to get poorer.

**Response:** The DEP acknowledges that the landfill may impact property values near the landfill, and that there will be both impacts and benefits to the community that have been detailed in our review of the Environmental Assessment.

22. **Comment:** I'm representing Clearfield Borough. Recently we as a council voted unanimously to oppose the Camp Hope Run landfill. We might not be affected as directly as some of our neighbors and other municipalities, but we do believe that we have very real concerns. First and foremost, is the traffic for us. Truck traffic on area roadways will increase dramatically, even under normal circumstances. And should Interstate 80 be closed due to an accident, weather, or construction, those volumes of traffic will increase even more throughout the borough. Our elementary schools have been consolidated into one building, which already brings challenges in managing busing schedules and other traffic in and out of those schools at least twice a day. At locations like the intersection at River Road and Route 879, truck traffic coming off of Interstate 80 could contribute to the further congestion of roadways and even endanger the children being bused to and from the school. Additionally, statistics indicate that 65 percent of the traffic pattern for this landfill will impact Clearfield Borough. Excessive road damage will occur with the predicted amount of traffic. Possible accidents are always a concern. Certainly, spilling garbage on roadways will contaminate our surrounding ground and waterways. Our already strained police, fire and emergency management personnel are not prepared physically or financially to handle this excess. We have not been offered bonds or any form of compensation from the company proposing the landfill to cover any of these costs. The idea of accepting out of state waste is unappealing to most of us. And in addition to the obvious environmental concerns that we have about transporting waste through the borough – as well as those concerns we have for our neighbors who will have this site in their backyards, would there be any local benefits? Such as, would our own local disposal companies be able to utilize this facility, thus decreasing the

mileage they must travel to a disposal site, creating the savings that could trickle down to our residents? We've already learned tonight that will not happen. While one branch of the Susquehanna River continues to improve through our efforts, possible influx of seepage in the Clearfield Creek will have a very negative impact along the Susquehanna River, this following the completion of the \$27 million sewer project in our community, funded by grants and loans with the good intentions of maintaining a healthy environment. As a council, we realize again that other municipalities may be affected even more directly than what we are. We feel it is our duty as good neighbors to stand with them in opposing this landfill.

**Response:** The DEP requires compliance with all state the environmental laws and regulations. A Traffic Impact Study was completed which included evaluation of the entire approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts, about ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.) This condition applies regardless of the ownership of the landfill.

Due to laws that limit the regulation of interstate commerce, the DEP does not have authority to prevent out-of-state waste from being disposed at the landfill. The landfill will not take municipal waste from within the County since the facility is not included in Clearfield County's Plan. Whether to include a landfill in the county plan is the County's decision as they have the authority to determine the County Waste Plan.

23. **Comment:** I am a Boggs Township property owner and local educator. I've always encouraged my students to get involved in the political system. One gentleman indicated that there were a lot of people who were for this dump that aren't here. I've been sitting in the back and I've watched at least 50 people with my sticker with the no thumb. I am asking everyone to take a stand, because this is the county that we live in. I would like to see a raise of hands of Clearfield County residents...somebody that came in that is for the dump. Will you please raise your hand? Are you looking at the number of people in this audience tonight that are for the dump? Now I'm going to flip that. How many sitting in the audience tonight are against the dump? Raise your hands. Now, if you are a politician and you are concerned, I can tell you the statistical polls will tell you that this area, this county, does not want this dump. It has also been mentioned tonight about recycling. I wish you would take your money and your financial backing, and as a couple people have mentioned, put more emphasis on recycling instead of landfills. Finally, to DEP, I am glad that you do issue permits, but now you're in our backyard. And no one can tell me where the garbage comes from. But you know what? DEP, you have a job because you're a Pennsylvania resident that we pay taxes into to put you into office. My question is, why are we providing garbage from New York, New Jersey, Puerto Rico, wherever, Boston, and more importantly Philadelphia? And I realize it's a big population. But do not destroy our environment at the cost of people in higher populations like Philadelphia not recycling, not being responsible. Because I can

assure you that the people sitting in this audience, we are responsible. You have a responsibility as an elected person for the state to take in the consideration of our concerns.

**Response:** The DEP reviews every application for compliance with all applicable state environmental laws, regulations, and policies. The Department's regulations allow for but do not require an applicant to include information in the application about the need for a facility as part of its environmental assessment per PA 25 § 271.127(f). This application did not include a demonstration of need. The Department cannot deny a landfill permit solely or principally for the purpose of keeping out-of-state waste from being transported into the state of Pennsylvania. *City of Philadelphia v. New Jersey*, 437 U.S. 617 (1978).

24. **Comment:** My family and I are opposed to the application and the placing of the new landfill anywhere in Boggs Township. Please consider our disapproval of it and [let] it not be approved by DEP.

**Response:** The DEP acknowledges those in the community that oppose the location of the proposed landfill in Boggs Township. The Department's decision, however, must be based on whether the application complies with the Department's regulations and the Solid Waste Management Act.

25. **Comment:** Please reject an application from PA Waste to construct a landfill in Boggs Township, Clearfield County, PA. We had public meetings in this area years ago about this landfill. DEP reps said the liners will FAIL after so many years. There are many people in this area who have wells for drinking water. Also, I am concerned about wildlife, air pollution and illnesses from the stench of this garbage, plus the rats and bugs. There will be truck accidents, dumping this garbage on our roads and possible contamination of streams & yards. Please fail their permit. It failed years ago, and they don't care if it destroys our area.

**Response:** The DEP acknowledges that a number of persons in Boggs Township rely on groundwater as a source of drinking water. The Department's regulations and permit conditions impose obligations during design, construction, operation, and closure to protect the groundwater.

26. **Comment:** What has [PA Waste] done to fix these [deficiencies]? This is my backyard. Please tell me how they are going to contain the smell and the runoff into the Clearfield Creek. I am less than 2 miles from this site. The wild life has already changed since they logged it. Turkeys, deer, and the birds are even disappearing. Please help us keep the Camp Hope stink gone.

**Response:** PA Waste has addressed the deficiencies identified by the Department's review. The Department has included a number of conditions in the permit in order to address environmental and safety concerns.

27. **Comment:** We do not want a landfill in Boggs Township in Clearfield, PA. How many times must we fight this?

**Response:** The DEP acknowledges those in the community that oppose the location of the proposed landfill in Boggs Township. The Department's decision, however, must be based on whether the application complies with the Department's regulations and the Solid Waste Management Act.

28. **Comment:** We DO NOT WANT this landfill in our beautiful Clearfield County, destroying the peace and tranquility of the area, as well as clogging our highways with the trucking traffic. PLEASE reconsider and refuse to let this landfill become a reality. We live here because we love the rural, clean, traffic-free element of the area. Please do not destroy this.

**Response:** The DEP acknowledges those in the community that oppose the location of the proposed landfill in Boggs Township. The Department's decision, however, must be based on whether the application complies with the Department's regulations and the Solid Waste Management Act.

29. **Comment:** This is a request for information! I am a local landowner, family with subdivision, within the Environmental Assessment Area -1 Mile of the proposed site. I request all applicable Regulations pertinent to the review of this sab, be made available on line for Public use and at a minimum include; a) Pennsylvania Solid Waste Regulations, b) Environmental Assessment (EA) criteria, and c) all other applicable regulations.

I request the entire and complete Phase I and Phase II Camp Hope Submissions and EA be made available on line for public use. I request an Electronic Email Public Comment Forum be facilitated for the sharing of information.

I request all forms of collusion be identified but not limited to and between, the following entities; PA Waste LLC, Smith Gardner, The Commonwealth of PA, Pennsylvania Governor and State Representatives, Pennsylvania Government Offices and All Affiliated Organizations; whereas money could be paid directly or indirectly as compensation to the State of Pennsylvania and its entities as related to the site.

I request the full dissemination (identify the receiving entity and amounts) of all TB collected Waste Management Fees from the sab.

I request the Clearfield County Commissioners be the Administrators for this effort.

**Response:** This comment was responded to upon submission. A summary is as follows:

The resource information that you requested is currently available online at the following locations:

The Pennsylvania Waste regulations for municipal waste are available at:

[http://www.pacode.com/secure/data/025/articleIDVIII\\_toc.html](http://www.pacode.com/secure/data/025/articleIDVIII_toc.html)

The Environmental Assessment criteria are available at:

<http://www.pacode.com/secure/data/025/chapter271/s271.127.html>

The other applicable Environmental regulations are available at:

<http://www.pacode.com/secure/data/025/025toc.html>

The applicant has provided an electronic copy to the Department. The electronic copy was posted to the Region's Community Information page that has been created for this project. The page is available at <http://www.dep.pa.gov/About/Regional/North-central-Regional-Office/Community-Information/Pages/Camp-Hope.aspx#.VxTV553D-Uk>. Please keep in mind that the electronic version has been provided by the applicant and is not considered the official submission for Department review. The Department is not responsible for the accuracy or the completeness of the electronic copy. The official submission is available in paper form at the Department's Northcentral Regional Office, the Clearfield County Commissioners' Office, and the Boggs Township Office.

The email address, [RA-NC-WM-Comments@pa.gov](mailto:RA-NC-WM-Comments@pa.gov), has been linked to the Community Information page listed above. This has been provided for the public to efficiently comment directly to the Department.

The Pennsylvania Solid Waste Management Act obligates the Department to review and issue permits for solid waste management facilities in Pennsylvania. The Clearfield County Commissioners may review and submit comments on the application.

30. **Comment:** This proposed landfill disturbs me on several different levels. This area has already had to deal with a landfill in this area previously, and we should not have to deal with another one. I have lived here all of my life, and just recently built a brand-new house within close proximity to the proposed landfill. If this goes through, my property value will be diminished exponentially. Who would want to live next to a landfill?

There have been studies that show living within 3 miles of a landfill exposes its residents to serious health conditions. Having a child, it is my responsibility to ensure their well-being as well as mine. Are you going to guarantee that my child's as well as my health is not impacted by this? Is the landfill company going to guarantee our health? I would assume not.

Also, to add to the insult, I happen to live in Woodward Township which is right on the line of Boggs Township, so even if this dump would go in, I would have no benefit whatsoever. Boggs township severely neglects this area to begin with, so they will just receive a huge paycheck and continue to neglect us. I know this landfill has political backing from the previous owners and it disgusts me that it could go through because of that. This just seems completely irresponsible to do this to the area again. Not to mention, Clearfield Creek is just down over the hill from the proposed area.

There is no such thing as a leak proof liner. I have seen liners installed before and it is just a lie. As an Engineer, I know better than to believe that nonsense.

**Response:** The DEP acknowledges that the landfill may impact property values near the landfill, and that there will be both impacts and benefits to the community that have been detailed in our review of the Environmental Assessment. Air contaminants, particulates,

and odors that may be emitted by the landfill will be regulated by an Air Quality permit to protect the environment. The Department is without authority in the context of this action to address your concerns about Boggs and Woodward Townships.

31. **Comment:** I oppose this landfill. It will pollute the area with seepage, and the increase in traffic is unacceptable. Please don't let it be allowed to happen!

**Response:** The permit requires the construction of a water treatment facility to treat leachate from the landfill as well as water impacted by historic acid mine drainage. A Traffic Impact Study was completed which included evaluation of the approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts, about ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.)

32. **Comment:** We want clean water to drink, clean air to breath and clean streams and waterways. I see no guarantees, only assumptions, that we will have that here, for us and our future generations. Let the people making the garbage that they want to bring here take care of it in their own backyard. Please don't approve this landfill, it's NOT good for us, only the developer and those whose garbage is "going away".

**Response:** The Department appreciates that persons in the community oppose this landfill. The Department's decision, however, must be based on whether the application complies with the Department's regulations and the Solid Waste Management Act.

33. **Comment:** My concerns with the landfill are twofold: 1) Route 153 has several blind spots, and 2) my biggest concern is our water (the landfill being over our water supply). I like analogies. If I gave you a bowl of M&M's and told you that two of the M&M's in the bowl would kill you instantly, would you take one and eat it? I doubt it!! Then why would we chance it with a landfill over the water supply for surrounding towns and cities?

**Response:** Thank you for your comment. The Traffic Study considered the entire approach route, including Route 153. The study was reviewed by PA DOT, and independently reviewed by DEP. In developing conditions for the permit, the Department considered recommendations made by PA DOT. Traffic is considered a harm in the Environmental Assessment, as a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.) Additionally, the permit requires the construction of a water treatment facility to treat leachate from the landfill as well as water impacted by historic acid mine drainage.



34. **Comment:** All of a sudden DEP has changed its ruling on the Camp Hope Run Landfill. Why? It was rejected for 10 yrs. The reasons it was rejected have not changed. (1) The people living in the area have well water, (2) our roads cannot handle all the truck traffic, (3) the wildlife in the area will be affected, and (4) there will be a lot more accidents on our roads. This will ruin our community, so please have DEP reconsider their decision.

**Response:** The Department's last denial of the permit failed to comply with the Department's regulations and the Solid Waste Management Act. These regulations require that the applicant address groundwater protection, traffic, and environmental impacts. The Department has reviewed the current application in accordance with those regulations and determined that it complies with all regulations and provisions of the SWMA. *See Comment 101 for additional information.*

35. **Comment:** I want to make my position on the Camp Hope Landfill in Boggs Township clear. I support this landfill mainly because of the economic impact on Boggs Township and the County, and because it is not a dump. A "DUMP" exists just east of this proposed landfill site. "DUMP" has my opposition.

**Response:** Thank you for your comment. The Department has considered the information submitted by the applicant regarding the economic impact of the landfill on the local economy.

36. **Comment:** I am proud to live in this beautiful county, and I would be disappointed to see it ruined by all the ugliness this landfill would bring to it. Whether it be the landfill itself, the numerous tractor-trailers hauling garbage, or the environmental impacts, it will turn our beautiful county into an eyesore.

**Response:** Thank you for your comments.

37. **Comment:** The Realtors Association wishes to make our position clear: we oppose this landfill as we see it to be a threat to surrounding property values, an intrusion upon those that own property adjacent to the proposed site, and as an overall negative impact on communities beyond Boggs Township. A study conducted by Richard Ready of the Pennsylvania State University shows, "Landfills that accept high volumes of waste (500 tons per day or more) decrease adjacent residential property values by 13.7% on average." The average median home price in Clearfield County is \$80,000. This means that any home within five miles of this landfill would see a decrease in the value of their home, bringing the average home price down nearly \$10,500. Decreased property values have a substantial impact on the real estate market. Not only are we steadfast in our assertion that the landfill will be an intrusion upon surrounding property owners, the secondary and tertiary effects will also greatly impact homeowners beyond the proposed landfill site. The suggested increase in truck traffic, hauling a variety of waste and hazardous materials alone is enough to bring down property values and cause people to shy away from buying homes in affected areas of the county. Additionally, the increased sound pollution from those trucks and equipment will violate private property rights. Overall, our members believe that the Camp Hope Landfill will have a negative impact on communities throughout Clearfield County. Our members see

the struggles of our communities through the eyes of our consumers daily. The proposed landfill will only give way to more issues that carry negative financial, environmental and quality of life impacts on homeowners in Clearfield County.

**Response:** The proposed landfill area has historic impact from strip mining and logging, in addition to large areas of undeveloped, uninhabited, and forested land. The DEP acknowledges that the landfill may impact property values near the landfill, and that there will be both impacts and benefits to the community that have been detailed in our review of the Environmental Assessment. Because of the nature and location of the site the applicant proposes mitigating the impact with large buffer areas.

38. **Comment:** I am proud to live in this beautiful county, and I would be disappointed to see it ruined by all the ugliness this landfill would bring to it. Whether it be the landfill itself, the numerous tractor trailers hauling garbage, or the environmental impacts, it will turn our beautiful county into an eyesore.

**Response:** Thank you for your comment.

39. **Comment:** I have lived on this hill for 38 years. Never until the last dump was opened about 6 miles from my house did I see a rat. During the time it was here, we had rats. If that small dump caused rats either by transport or hiking through the woods, they found my house. 200 trucks traveling on a 6-mile stretch will have flat tires, breakdowns and wrecks. I wouldn't want to deal with it and I know PA Waste won't. Also, bears traveled from that dump to the yard I mow. In their feces were found IV tubes and chunks of lead and other things that were not digestible. This proposal will be one-half mile from my back yard. Court documents show PA Waste plans to sell the dump once they get it. I think you should have closed any attempt to reopen the host agreement. It has been a sham from the first time it was introduced. WE do not need it. There are enough places farther off the main roads and less noticeable from my house and town.

**Response:** The Department's regulations require the operator to control vectors by minimizing the working face of the landfill, applying cover over exposed waste on a daily basis, and grading the site to eliminate insect habitat.

40. **Comment:** I am a resident of Clearfield, PA, and I want to express my opposition for a permit to be granted to construct the proposed Camp Hope Run Landfill. If this permit is granted, traffic congestion on the Clearfield-Shawville Highway at certain times will resemble the traffic exiting major sports events. Traffic already is jammed there at various times. If 250 trucks (the expected traffic) travelled that route in one day, and they were spread out over 24 hours, that would be more than ten trucks every hour, and more than one every six minutes. That amount of traffic alone would be a lot, even if none of the residents were on the road! Of course, then, the same trucks would have to return. The Clearfield Bypass, part of the route along PA Route 879, is already infamous for accidents both on the downhill curve, (travelling toward I-80), and at the exit onto PA Route 153. One day or one week of this sort of traffic would be horrible, but to have it all of the time, for 21 years (the

expected lifetime of the dump) is something which is beyond words. Who would want to live anywhere along such a route?

The traffic congestion is one thing, but then there is the noise and the stink that would become never-ending. Property values would be likely to plummet. Besides all of the traffic-related problems, another one which must be considered is the fact that a tectonic fault runs directly through the site. Everyone knows that every dump leaks. Leakage into the fault line would contaminate the ground water for many miles, polluting all of our water systems. Please consider all of these factors and reject this application.

**Response:** A Traffic Impact Study was completed which included evaluation of the entire approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts, about ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.) The Department has reviewed the information relevant to fault lines and found the application in compliance with the regulations.

41. **Comment:** I am writing to speak against putting in a trash dump site in Clearfield County. The citizens living there have already said no 3 or 4 times before. Why does this keep cropping up every few years? Where they propose the site is on a fault line anyhow, and Clearfield is a very wet area. It will eventually affect the Chesapeake Bay. Plus, all those trucks will tear up the roads. I grew up in Clearfield. They do not need a trash site. Why not use that trash and turn it into oil instead, or truck it to York County where they burn their trash and turn it into electricity?

**Response:** The Department's last denial of the permit failed to comply with the Department's regulations and the Solid Waste Management Act. The Department has an obligation to review the current application submitted to it for compliance with applicable laws and regulations. The regulations clearly state liner and construction requirements in order to protect the environment. As such the design of this site is a double lined system with leachate collection and detection as well as ground water monitoring.

42. **Comment:** I support the Landfill. We need jobs here.

**Response:** Thank you for your comment.

43. **Comment:** I don't live in Boggs Township, but I am with the people who oppose this landfill. I've been around landfills and the smell is horrendous, especially on a hot day. It attracts vermin, all kinds of bugs, and destroys huge areas for the wild life. There is the issue of water contamination and the fact that landfills are not leakproof. There will be heavy traffic in and out of the landfill every day. More wear and tear on the roads by these heavy trucks, and there is the real danger of one of these trucks having an accident. I've seen these

garbage trucks leaking stinking fluids along the route to other landfills. The only people who will gain from this landfill are the ones who are linked to the garbage industry. Their bottom line is money. Sure, landfills are a necessity, but why not send it to areas out west in the middle of nowhere where nobody lives?

**Response:** A Traffic Impact Study was completed which included evaluation of the entire approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts and ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.) As to odors, the Department's regulations and the permit require the operator to take measures intended to minimize the creation and impact of odors off of the property boundary. The Department also has the ability to take an enforcement action should the operator not effectively control odors.

44. **Comment:** If there is an actual fault under the site and it is not suitable for a dump, who is going to supply everyone's water when it makes it to a reservoir? It will not matter whether you have a drilled well or you are paying for water you can't even drink. We have worked long and hard to get our streams back to where they actually have fish habitat and now we hear that they want to put garbage in trucks and possibly upon rails and put it in our county. We do not need this aggravation from anybody, along with the devaluation of everybody's property that is along the said route to the drop-off. We do not need to import garbage from other states or countries. Let them take care of their own. If they make it, let them dispose of it in their own backyard. We do not need Clearfield County becoming everybody's garbage can. We maintain our own garbage. We don't send it to other states.

**Response:** The permit requires the construction of a water treatment facility to treat leachate from the landfill as well as water impacted by historic acid mine drainage. The regulations clearly state liner and construction requirements in order to protect the environment. As such the design of this site is a double lined system with leachate collection and detection as well as ground water monitoring. The Department has reviewed the information relevant to fault lines and found the application in compliance with the regulations. Due to interstate commerce laws, the DEP does not have authority to dictate where the waste to be disposed of is generated.

45. **Comment:** I cannot believe that Clearfield County would – in a million lifetimes – ever consider turning our home into a trash dump with the Camp Hope Run Landfill in Boggs Township! We are just making this country great again, there is no reason to become a dumping ground for garbage, allowing a terrible blight of traffic, and dumping on a fault line as the hydrologist testified to boot! No amount of jobs is worth gutting our beloved county – though that hardly matters as the local influx of jobs looks to be minimal.

**Response:** The Department acknowledges that individual persons in the community oppose this project. The Department's decision, however, must be based on whether the application complies with the Department's regulations and the Solid Waste Management Act.

46. **Comment:** I am writing this email in strong opposition to the Camp Hope Run Landfill in Boggs Township, Clearfield County, PA. I live about a mile from the proposed landfill, and I have lived here my whole life. A couple years ago my wife and I built our dream home on Crystal Lane Road, about a mile from the site and just last fall, we welcomed our first child. This landfill is concerning for numerous reasons, but the most important being my family's health. I have read several studies indicating living in a short proximity to a landfill can cause health risks from the harmful gasses leaving the site. Sulfur Dioxide has numerous effects including cancer for the surrounding area. Is DEP going to guarantee my family's health from these risks? Is the owner? I think not. The only people for the DUMP are the people receiving monetary incentives. Here is another huge issue I have: The only possible benefit from this landfill would be a decrease in property taxes, and guess what? We live a mile from the site and are in Woodward Township. That's right, this landfill is on the township line and Woodward Township residents get completely screwed. The majority of the homes near this landfill are Woodward Township residents. The only thing we will get from this landfill are health risks and the smell. Not to mention - Boggs Township receiving 60-million dollars from this dump – yet hasn't even done any road maintenance on Bucket Line Road for as long as I can remember. Hasn't this area been punished enough with the previous landfill across the road? DEP's Harms Benefit Assessment is truly disappointing. The whole area downhill from this landfill goes right to Clearfield Creek and into the West Branch Susquehanna River. Not to mention the fault line running right through the site. Let's be honest – landfill liners are not leakproof. I have been involved in several liner installations and know the flaws of the system. I encourage you to do the right thing but I know this all falls on DEP's deaf ears. Political backing can almost never be stopped, and the previous owner of the site was high in the Pennsylvania government. For the health of my family, please deny this landfill and do the right thing for the people of this area. Stay true to your mission statement.

**Response:** As to methane generation and odors, the applicant must install gas collection system and odor management systems designed to mitigate the potential for landfill gas and odors to migrate offsite. Also, there will be an Air Quality permit associated with this site that will require monitoring and controls on airborne contaminants.

47. **Comment:** I am writing to state my opposition to this proposed project. Although several positive benefits were suggested at the hearing, I have serious reservations about the impact this landfill will have on our region. A modest increase in employment and a vague promise to improve our environment will have no value once our water, air and greenspaces are sacrificed. Some of my specific environmental concerns are: a) Increased heavy truck traffic hauling 5,000 tons of trash through our community every day, causing excessive wear and tear on our roads and creating at least two dangerous traffic patterns where these trucks would need to cross traffic, b) toxic waste leaking from the site into the underlying fault which will contaminate the aquifers that supply water to a vast area of central Pennsylvania.

This vulnerable fault is already at a high risk due to oil/gas exploration and fracking in this region. c) Displacement of rattlesnakes and other wildlife populations, d) rumbling noise from heavy trucks, back-up beepers, diesel exhaust, etc., e) foul odors, and f) a higher than average number of cancers have been detected in individuals living downwind of other landfills. In addition to the concerns mentioned above, there is no guarantee that once a permit is secured by PA Waste LLC that the permit will not be sold to another entity, leaving us with an absentee owner who has no accountability or interest in our community. Also, whose garbage is this that will be sent to Clearfield County? In closing, I want to remind you of the great economic impact our natural resources have on this region. Kayakers, canoeists, hikers and bikers visit Clearfield County throughout the year, and during the hunting and fishing seasons the innumerable camps and cottages, as well as hotels are filled to capacity. We cannot afford to lose this valuable income. I urge DEP to do the right thing and deny the permit for this landfill.

**Response:** A Traffic Impact Study was completed which included evaluation of the entire approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts and ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.)

The regulations clearly state liner and construction requirements in order to protect the environment. As such the design of this site is a double lined system with leachate collection and detection as well as ground water monitoring. Health studies are very specific to criteria and control measures. Also, there will be an Air Quality permit associated with this site that will require monitoring and controls on airborne contaminants. Additionally, prior to any Department action to allow a permit transfer, the new owner would be required to agree to all terms and conditions of the application and the permit. As to impact on wildlife and potentially endangered species, although there were no concerns on the PNDI report, the Department did require the permittee to relocate an outfall for the treatment facility to avoid an area of concern.

48. **Comment:** At the meeting it was announced that the property already had acid mine drainage on it. This was from the previous owners, however, DEP overlooked the problem then. Why would I feel comfortable with DEP now making the decision to allow garbage from out of state to be brought in and NOW they will be watching over it for leaks and keeping the water clean? No, feel free to get PA Waste to clean up the ground, they are the owner now. It would be years, maybe decades for the property to come back to what it once was. The danger of leaking and ruining the water for many, many people, the danger to those traveling on our roads (three particular intersections) from the large number of truck traffic will NOT outweigh the few jobs that would be created.

Their attorneys tried to dangle dollars in front of us that will NOT exist. The location they discussed as a comparison can have another dump location in their area if they benefitted

from it so much. The agreement they have already signed will NOT benefit the majority of people in the communities affected by this approval. People that will be cleaning up the messes in accidents or helping those in accidents and those driving alternate routes to do their business. Deaths will occur. How do you sleep with that?

PA Waste seems to think the majority of persons would want this to be approved. Put it on a ballot and allow the people of the county affected by this permit to vote on it! PA Waste can have charity hunts to their heart's content. That means nothing compared to the permanent scarring of the countryside a dump would cause. A dump that will poison the water for people and wildlife. Don't tell me the families can have city water. City water is not the same and comes with a price/cost the families don't have now.

When there is an accident on I-80, traffic already comes off the interstate to travel through this small town to get to the next on ramp. We can't add the additional traffic from the dump. What those truckers will be spending in the area as they drive thru will be minimal. I'm in favor of jobs but not for the dump.

**Response:** Due to laws that limit the regulation of interstate commerce, the DEP does not have authority to prevent out-of-state waste from being disposed at the landfill. The landfill will not take municipal waste from within the County since the facility is not included in Clearfield County's Plan. Whether to include a landfill the county plan is the County's decision as they have the authority to determine the County Waste Plan.

The Department understands that the host municipality agreement will not compensate every person or community that may be impacted by this project. The Municipal Waste Planning, Recycling and Waste Reduction Act mandates compensation only to the municipality that hosts a municipal waste landfill. The Department does not otherwise participate in the negotiation of agreements between landfill operators and municipalities.

The regulations clearly state liner and construction requirements in order to protect the environment. As such the design of this site is a double lined system with leachate collection and detection as well as ground water monitoring. A Traffic Impact Study was completed which included evaluation of the entire approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts and ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.)

49. **Comment:** Listening to the information given at the meeting, we had a question about the mess/clean up at the proposed site. The owner and others made reference to how the waterways on this property are. How did the pervious land owner leave this property in this condition if it was permitted and bonded?

The Interstate 80 interchange at Clearfield and the Route 879 bypass are extremely congested areas. Also Route 153 is an extremely dangerous road with many blind intersections and curves. Finally, Clearfield County has spent millions of dollars over the last 2 decades trying to attract tourists to our beautiful state parks and mountains. Yet we continue to see our county being overrun with coal stripping, Marcellus shale drilling, and now another garbage dump.

We hope our voices will be heard that the vast majority of citizens of Clearfield County do not want more out-of-state waste brought into our county.

**Response:** The site is a historic mining site that has had significant issues with minerals and AMD, as such the permittee will be required to address the environmental issues that resulted from the previous operations. The bond from the previous mining activity was utilized for years to control the AMD; however, the financial assurance has been diminished over time. A Traffic Impact Study was completed which included evaluation of the entire approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts and ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.)

50. **Comment:** I am for the proposed PA Landfill in Clearfield County, PA. We need this to create more jobs in the area. I hunt this property now and before PA Waste purchased it. Our ATV Club had it leased for a number of years. I know there are some existing issues on the property from when it was stripped for coal. It's an ideal place for a landfill the way the land terrain is. The company that I work for has been working at Advance Disposal site in Kersey, PA. I've been working up there for the past 3 years. People in the area should support this for the jobs that it will bring and the money it will bring to our county.

**Response:** Operation of the landfill within the area increases the tax base and local commerce in addition to job creation and use of the community's support services. These benefits are not speculative.

51. **Comment:** No amount of money being touted is going to be of any benefit to our long-term safety and welfare of the environment in which this dump will undoubtedly leave a very negative footprint on this great state, county and region of PA. Do not believe the promotion of the proposed benefit of this dump. Shipping in 5,000 tons a day of garbage from NY, NJ and Puerto Rico into an area that is vital to the waters that sustain and feed this area isn't good for any one. If this were such a great thing, why aren't NY and NJ looking to house their own garbage? Is the selling off of land for financial gain worth the detrimental environmental damage that will last for generations and beyond really worth it when one stops to realize the amount of people and places that will be negatively impacted by this?



While I personally am not in a position to dissuade the power that be in this matter, I hope that someone such as yourself might be able to do it for us.

From damage to water aquifers below the surface that supply water to the surrounding area, to the negative impact to air quality and the amount of daily truck traffic that importing 5000 tons of garbage a day to the area will place a hardship and irreversible negative impact on this place.

We have a responsibility to take care of that which has been entrusted to us and the environment and lands that we love and live in are no different and are just as crucial to our long-standing well-being and survival. This aches my heart to no end. Although I no longer reside in Clearfield County, PA, I can tell you it is in my opinion one of the most beautiful and magical places on this earth. I am proud to call it my home as I return to it often to take part in the beauty and nature that it has to offer.

**Response:** The landfill will not take municipal waste from within the County since the facility is not included in Clearfield County's Plan. Whether to include a landfill the county plan is the County's decision as they have the authority to determine the County Waste Plan. The regulations clearly state liner and construction requirements in order to protect the environment. As such, the design of this site is a double lined system with leachate collection and detection as well as ground water monitoring.

52. **Comment:** We agree with the proposal that PennDOT should be required to do an official traffic study since they have all the information on the state roads which are mostly what will be affected. Most of these roads are in Lawrence Township, not Boggs Township. That should be addressed. Anyone who travels the Clearfield Bypass and uses the Park Avenue to Route 153 exit knows how dangerous and congested the exit to the dump site is already. It cannot possibly handle up to 500 tractor trailers a day. A bypass is used to expedite traffic, not slow it down. We haven't even addressed any wrecks from these hazardous trash trucks, which is a very real possibility and how many volunteers will be needed to clean these accident areas up.

Route 879 which is a very busy exit off I-80, is full of businesses that cater to vehicles traveling on I-80. Other than the truck-stop which is located on the opposite side of the ramp off I-80, the businesses do not cater to them. There is nowhere for the trucks to park and there are many signs at these businesses advising them that they are not welcome to park in their lots due to the fact that their lots were not built to handle the extreme weight. The truckers are not Clearfield business customers due to this problem, so please don't try to tell us that Clearfield will benefit from them. We have a business along Route 879 and it is now becoming too congested for easy ingress and egress into it. Please get a correct traffic study.

The Environmental Assessment is not correct. There is not any possible way this dump has any benefits to the town of Clearfield which is the town most deeply affected.

Why is the fault under the property not considered a very dangerous problem? Also, in March of 2017, the Ohio DEP and geologists stated recent earthquakes resulting from fracking by gas companies has definitely affected our seismic instability which could affect the fault and lead to ruining our water which would make us a “ghost town” due to extreme contamination, not to mention many health problems, and most likely death. There is also high concern regarding the air quality and lung disease which has proven to be prevalent to towns downwind of dumps.

You have no assurances of who will be either building or operating this dump facility which should automatically eliminate PA Waste LLC from acquiring the permit since it even states they plan to resell it. It was also stated at the meeting, that even though PA Waste has already been turned down and did not appeal, they have put in a new application that has over 50 items still not addressed and answered on its application. This is very suspicious.

It is inconceivable that this dump will not be used for any of our waste. Could it be that they don’t want locals to see the operation by not allowing us to have a reason to go to it? Instead, Clearfield will have to continue to drive clear to Kersey to dispose of its waste. This seems very strange and inefficient.

As far as jobs are concerned, there is no guarantee that whatever company puts the dump in will hire locally and these are not desirable jobs by any means. What Clearfield needs is trained workers such as plumbers and electricians, etc.

One of Clearfield’s best markets is tourism due to the fabulous abundance of hunting and fishing. It will only take one large leak from a dump to ruin our environment and our tourism. What does PA Fish & Boat Commission and the PA Game Commission think of this dump proposal?

We feel that if or when a dump is proposed in the future for Clearfield County, it should only be for Clearfield County and surrounding County waste. This is also not needed for the next 30-50 years in our area, so why would this be beneficial to our town? We are definitely against the Camp Hope Landfill and will not support it.

**Response:** There will be an Air Quality permit associated with this site that will require monitoring and controls on airborne contaminants.

Prior to any Department action to allow a permit transfer, the new owner would be required to agree to all terms and conditions of the application and the permit.

A Traffic Impact Study was completed which included evaluation of the approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts and ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per

PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.)

As to the concern about seismic activity, the applicant conducted extensive borings at the site, which revealed no deep mines or geologic instability. The site is also not located within a seismic risk zone as defined by EPA.

Due to laws that limit the regulation of interstate commerce, the DEP does not have authority to prevent out-of-state waste from being disposed at the landfill. The landfill will not take municipal waste from within the County since the facility is not included in Clearfield County's Plan. Whether to include a landfill the county plan is the County's decision as they have the authority to determine the County Waste Plan.

53. **Comment:** We are concerned with all the truck traffic in our small town of Clearfield and Boggs Township. Traffic congestions will be horrible. Road damage from that traffic will surely occur. The people of our area cannot afford to have our taxes raised to pay for repairs. We live in a beautiful part of PA which depends on tourism. We cannot afford to have our beautiful county polluted by out of state garbage and Puerto Rico garbage. If this is such a great opportunity, then let NY, NJ and Puerto Rico build the landfill in their state. We have our own garbage to take care of and do not need theirs. We hope you say "NO" to this Camp Hope Run Landfill municipal waste application.

**Response:** Due to laws that limit the regulation of interstate commerce, the DEP does not have authority to prevent out-of-state waste from being disposed at the landfill. The landfill will not take municipal waste from within the County since the facility is not included in Clearfield County's Plan. Whether to include a landfill the county plan is the County's decision as they have the authority to determine the County Waste Plan.

A Traffic Impact Study was completed which included evaluation of the entire approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts and ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.)

54. **Comment:** We feel there was some misrepresentation on the testimony regarding how the individuals that are leasing this property are helping the community when in fact they are not working with the local property owners at all. These individuals are not willing to work with anyone in the area, we have spoken with one of the individuals asking for permission to pass through the property but was told PA Waste wants no one on the property. We have heard from other property owners that have camps in this area that are not allowed to hunt on the Camp Hope Run property. We suspect if it was checked out there are no monies actually being paid on this lease just them patrolling the property. We feel there is a lot of deception right up to the point where they say they are going to clean the environment, when in fact PA Waste's purpose is to sell once they get this permit. PA Waste is only interested in the almighty dollar and has no idea or even cares what the new company will do. We have lived

here all our lives and have lived through the BFI era, which was close to this location, and have never seen lower taxes happen.

**Response:** The Department must make its decision based on the information in the permit application. The Department has no knowledge that any information in the permit application has been falsified.

55. **Comment:** This is my third letter to you about my concerns about the Camp Hope Landfill in Boggs Township. I'm sure you have probably already made your decision about issuing the permit I have been fighting against for many years. Before, I tried to express the facts of what this would do to your community. This letter is more personal, wondering about how such a small group of people have so much power to take away the way of lives of hundreds of other people, and those people have little recourse to stop it - like when three township supervisors in charge of some 700 people who live in this small township were given the power to start this crazy process some 15 years ago without going to the people. As you may have seen, the number of people for this garbage program were against it.

I've lived along Route 879 for over 60 years. Now I sit on my front porch and have difficulty having a conversation with anyone because the truck traffic; their Jake-brakes on Route 879 make it difficult to talk. I will probably be driven out of my home if you at DEP issue this permit. I am sure there is probably pressure from the state to give this permit but put yourself in the shoes of the people where I live and have a vision of what you worked a lifetime for be destroyed. What would you do if you were in my situation?

**Response:** The Department's decision must be based on whether the application complies with the Department's regulations and the Solid Waste Management Act.

56. **Comment:** I am against permitting the Camp Hope property for a waste dump. Your benefits seem to involve money returned in taxes. You don't explain how garbage can possibly be a bad way to go - leaks, pollution, disease, odor and traffic jams. In 2008, PA DEP permitted an Ethanol plant for Clearfield. We have had to construct a new disposal plant to handle the excess water it produces. As for garbage, in 2008 the Congressional Research Service reported PA as the largest importer of waste. This doesn't include hazardous wastes shipped for dumping. Quite a record! We are a part of the Chesapeake Watershed and deserve to be treated as such. Permitting the Hope Run property for a waste dump is wrong.

**Response:** The Environmental Assessment submitted by the applicant and reviewed by the DEP includes harms and benefits associated with the development of this site such as public health and safety, traffic impacts, air quality, water quality, wildlife, and land use to name a few. The landfill will not take municipal waste from within the County since the facility is not included in Clearfield County's Plan. Whether to include a landfill the county plan is the County's decision as they have the authority to determine the County Waste Plan.

57. **Comment:** There were statements made at the public meeting at the Florian on July 23, 2018 that need clarification.

The three people that spoke in favor of the Landfill have a lease agreement with PA Waste. They are profiting by being able to use this land and patrol it so no one else may use it or have access to it. I have ridden ATVs on the property before these people had their lease and it was beautiful pristine country. I did not see any garbage, ruts or whatever else they said...just beautiful scenery for miles and miles. I also talked to a man whose property joins the landfill property and he said that the number of ATV activity and poaching on this property was GREATLY exaggerated.

These people said they only saw two rattlesnakes on the property. I can give you the name of a gentleman who can take you directly to the two dens on this property. He can even provide you with photographs. Or you can contact the Fish and Wildlife Commission. I also know for a fact that when PA Waste did their "rattlesnake hunt" it was in the dead of winter - January to be exact. I can give you the name of the person who witnessed this also.

Our township was NEVER offered any tax reduction, never offered any benefits other than the tipping fees and what is to guarantee that we will get anything after it is sold? You have court papers available to you verifying that is the plan—to obtain the permits and sell it to the highest bidder. Aren't all contracts and promises null and void when the new company buys it? That is a question that should be brought before the attorneys.

What if you do let it go through and it does affect the aquifer as has been stated? Are you willing to risk being responsible for possibly the whole township and surrounding areas losing their most precious resource? Then what? Even in the state the property is in now, at least it is not affecting our drinking water.

Please don't let money guide your decision. Other than that, why would you want New York, New Jersey and Puerto Rico garbage trucked in to our beautiful state when it is not necessary? It is one thing to take care of our own garbage, which we do. It is quite another to take care of other state's garbage. Let them take care of their own!

**Response:** The landfill will not take municipal waste from within the County since the facility is not included in Clearfield County's Plan. Whether to include a landfill the county plan is the County's decision as they have the authority to determine the County Waste Plan. The Fish and Boat Commission has indicated that studies on habitat are ongoing and the Pennsylvania Natural Diversity Index, (PNDI) system is updated as new information is available. Current information does not indicate the timber rattlesnake habitat is a concern in this location. However, the DEP did require the permittee to relocate an outfall for the treatment facility to avoid an area of concern. The regulations clearly state liner and construction requirements in order to protect the environment. As such the design of this site is a double lined system with leachate collection and detection as well as ground water monitoring. As to any tax deduction, the Department does not control local government decision-making in that regard

58. **Comment:** I wish to submit some of my objections, some information and some questions of objections. Included is info on the abandoned clay mine under the proposed site.

I spent considerable hours in Phillipsburg DEP office going through the 1990's experimental mining operation on the Kaufman site. Water levels in test wells decreased and AMD increased as mining progressed. The prescribed amount of lime was purchased by the operator, but no one appears to have knowledge of how or if the lime was placed. Since the water in the test wells decreased, did it go out through the 1940's open pit clay mine just west of the Kaufman site boundary, or perhaps out of the Old Mount Union underground clay mine, or even worse, into the major underground aquifer below?

The manager at the time, Phillipsburg DEP, assured me there would be no further coal mining on this ridge without further learned technology. Have we attained this ability? The applicant states there will be incidental coal removal during construction. How can this be any different than coal mining? Perhaps even less regulated?

Does DEP have the resources to man the construction of this operation full time to assure satisfactory results?

The archaeological survey done for the Kaufman mine site states there is very little top soil on the ridge. Considerable amounts of top soil or lime to treat crushed acidic rock will have to be purchased and trucked in for daily cover. Is this not a point where DEP can say this is not a feasible venture and a waste of tax payer money?

The engineer made a declaration to clean all the water around the site. Beyond any doubt, the landfill operation will contaminate more water as they progress. They can neutralize the damage while they operate. More important, who will treat the water after the landfill ends operations? Who is treating Camp Hope Run today? One smell of the water East of Route 153 will convince anyone that the contamination comes from more than mining, obviously BFI landfill of late 1980's.

Sanborn Run begins near junction Rout 153 and Sanborn Road. It now flows into the open slope of the abandoned Sanborn Run clay mine. Over time, the stream changed enough that Sanborn Run has filled the slope opening and created a pond. I am told by the landowner that the pond holds fish.

Downstream there is a spring near the intersection of Crystal Lane road and Bucket Line Road. Numerous people have used the Spring for drinking water. There is a large beaver pond on Sanborn Run in the same area. Water quality may not be too bad this part of the stream. Further downstream, there is a hollow that carries AMD from the Thompson open pit clay operation near the intersection of Bucket Line Road and Route 153. This is dry a good portion of most years. From this point on more serious damage to the stream is noticeable.

After crossing the gas line, there is a small spring on first bench above Sanborn Run (Water analyses submitted). Another 75 yards or so north, there is water flowing from an open pit of the 1940s Harbison-Walker clay mine. When I visited DEP Mining Div. in Phillipsburg, they denied the existence of the open pit. How, when the pit is 150 yards or so from the active mine site?

A small stream merges with flow from the Mount Union Mine, shortly before entering Sanborn Run. This was good water before the mine operation.

Goss Run flows from the south, merges with Sanborn Run near the merger from Mount Union Mine. Goss Run has native brook trout. I suspect the stream will be safe.

Another stream begins in the big hollow of the ridge west of the previous mined area. It is not too bad yet, but I believe it suffers some from the coal mining. Undoubtedly, the landfill will destroy it. Local water people tell me this stream does hold fish.

In the early days of the previous application, I spoke with two young men traveling back and forth on Bucket Line Road doing a rattlesnake study for PA Waste. I did not think their method would provide a very sincere result. I believe you will find a rattlesnake denning area.

The significant portions of the tributaries to Sanborn Run are outside the borders of their property. Have they shown legal access to treat, test and maintain water quality? The only current road access to south side Sanborn Run crosses my property and my family's property. I suspect this would be a problem for the applicant.

The civil suit filed by two of the applicants, DeLibero and Lubar clearly state their intent to attain a permitted site for sale on the open market.

**Response:** The removal of coal at the site is regulated under the Surface Mining Control and Reclamation Act, which is administered by the Department's Bureau of Mining and Reclamation. They have not received a permit application to excavate minerals from this site, nor has the applicant indicated that they intend to apply for a permit. The Department will inspect the landfill regularly; however, it will not have a person assigned to the facility on a full-time basis. The regulations clearly state liner and construction requirements in order to protect the environment. As such the design of this site is a double lined system with leachate collection and detection as well as ground water monitoring. Additionally, prior to any Department action to allow a permit transfer, the new owner would be required to agree to all terms and conditions of the application and the permit.

59. **Comment:** We have recently moved to the area and own property and are opposed to a landfill being constructed in Boggs Township, Clearfield County. There are several reasons for this opposition: lack of support; suitability; track record; social economic; infrastructure; risk; and mitigation. These reasons are enumerated below.

There is a lack of support for the landfill. The majority of citizens of Boggs Township and Clearfield County have been opposed to the dump since its inception. Those who have been in favor of the dump or silent, for the most part, have a contractual relationship with the company submitting the application or appear to have something to gain. For example, most of the individuals who spoke in favor of the dump at the 23 July 2018 hearing currently have a hunting lease with PA Waste, LLC.

The location of the proposed landfill was determined not to meet site suitability requirements in July 2008. What changed concerning the site during the past ten years? Much of the paperwork submitted by PA Waste was cited as containing technical deficiencies and has not met waste landfill regulations. How is it suitable now? Where is this waste coming from? Is it municipal or otherwise?

For this area, DEP does not have a good track record. DEP did not do its job or fulfill its role in addressing environmental issues over the last fifty years so why would we expect any improvements with respect to pollutants and site contaminations as a result of minimal standards being ignored? Existing standards are minimal so there is no room for non-compliance. This can be seen in the blight caused by strip mining where the stones in the steam remain discolored and reclamation was never enforced. Looking at the hills today you can still see where reclamation was never implemented. How can we expect that due diligence is being done to ensure that protections are upheld and the law followed for this application? Will the laws and regulations be overlooked, ignored? If so which? Since this dump is not "back yard" of those who sold the land, those obtaining the license, or those who work for DEP, there is little faith that the environment will be protected. At least with coal, local jobs were and are provided to mine and haul the coal, and the coal was used locally to power electric plants.

At best, this is socio-economic discrimination against those who live in this area. There are not financial means to represent the community to the State or other organizations. Additionally, there are not financial means to adequately assess the inequitable review of incomplete plans and the potential impact the neighborhood health and environmental justice. However, big corporate money can promise money to the State that appears to solve immediate problems (i.e., financial shortfalls) while introducing long-term problems. What was not addressed is how the landfill will decrease property values and preclude other reputable business from wanting to come into this area. What has been this impact in other areas?

The road infrastructure from Interstate 80 to the Houtzdale area was not built to carry the type and amount of traffic that is anticipated (e.g, 21 years at acceptance rate of 5,000 tons per day). Who will pay for the maintenance in each of the Townships where these trucks will travel, the State? If you have not noticed, the local roads are currently not in good shape, and neither is Interstate 80. A rough magnitude cost estimate to mill off and repave 1.5 inches of asphalt is approximately \$1 million dollars per mile and does not include the cost of upgrade to the sub base (note: 1.5 inches is not sufficient for the size and numbers of trucks proposed to operate over the tarmac). What about the emission pollution caused by the number of vehicles traversing these roads, how will this be tested and mitigated?



Additionally, the intended route is one of the main routes for bus traffic leaving the county secondary schools, a point that was not discussed during the hearing on 23 July 2018.

There are many risks associated with this proposal. A key risk is the contamination to the water table and streams. What is the agreement/contract obligation if this does occur? Will it be similar to how it was addressed by DEP and the coal company? Will the citizens wait 50 years for 'public water' to address contaminated wells or public water? What is the responsibility to each of the property owners, not the township, county or the state? Will the animals who previously called that area home be tested to ensure that they are not contaminated by the waste? Additionally, many scavengers and rats will be brought or drawn to the area with the waste bringing diseases; how will this be addressed? There is always a risk that a subsurface rupture can occur causing structural failure (e.g., sink hole, fracture, and earthquake). Such an event, it can be hypothesized, would in turn have negative effect on a "dump" resulting in contaminations not anticipated. There was mention of a fault under this area.

There are many risks that will need to be mitigated. This will include the smell from the dump as wind shifts destroying the beautiful area which we call home. This will be a constant, 24 hours a day, 7 days a week for 21 years or more. Additionally, contamination of the soil from the refuse brought to the landfill, how will it be tested to ensure that it is not toxic waste, not just during operation but years into the future?

Risk analysis compares the magnitude of any gain or loss against the cost of implementation or mitigation. The magnitude of any potential loss greatly exceeds any potential gain and the cost of mitigating any problems is also very high. The categories most likely to incur significant costs are ground water, local road systems, public safety and public health. The cost in these areas would most be borne by the local communities. So, the gains go to the dump owners and the State; the losses go to the local area.

Based on the points made above and those by my fellow citizens through the application period and most recently during the 23 July meeting, we request that the landfill permit for Boggs Township be denied. The short term proposed financial gain is not worth the long term risk, today or in the future for the local citizens or those down wind or down stream.

**Response:** The Department appreciates that there are citizens in the community opposed to this project. The Department's decision, however, must be based on whether the application complies with the Department's regulations and the Solid Waste Management Act. The Department has a policy by which it considers any project's impact on an Environmental Justice Community. This project, however, does not affect an Environmental Justice Community. The permit requires the construction of a water treatment facility that will treat leachate as well as water impacted by historic acid mine drainage. PA Waste's proposed gas collection system and odor management systems will substantially mitigate the potential for landfill gas and odors to migrate offsite. A Traffic Impact Study was completed which included evaluation of the approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP.

The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts and ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.)

### **Wildlife Topics**

60. **Comment:** There is concern about disturbance of the rattlesnake habitat in that area. There is a letter dated October 27th, 2005 that was part of the original permit application from the Pennsylvania Fish and Boat Commission, confirming that there is a rattlesnake population in that area. What my concern is for the residents that live out there, the rattlesnake population being disturbed could cause the moving rattlesnakes to move out onto the residential properties. I think that the Fish and Boat Commission along with DEP needs to look and take more consideration on that issue.

**Response:** The Department has reviewed the information submitted in the 2017 application and supporting documentation for this permit. The Fish and Boat Commission has indicated that studies on habitat are ongoing and the Pennsylvania Natural Diversity Index, (PNDI) system is updated as new information is available. Current information does not indicate the timber rattlesnake habitat is a concern in this location. However, the DEP did require the permittee to relocate an outfall for the treatment facility to avoid an area of concern.

61. **Comment:** A year and a half ago, in any one night 40 to 50 ATVs could be counted going across the proposed landfill property. They were tearing up the roads, erosion was all over the place. Now there are barely any ATVs. The traffic has been limited and they are trying to keep the property safe. Food plots have been planted to try to bring the animals back in. There were very few animals and hunters were out in the middle of the night in Jeeps, shooting the deer. PA Waste has been supportive of what has been done to control of the property. Truckloads of garbage; tires, computers, televisions, and waste have been picked up. In that time only two rattlesnakes have been seen. They're actually on the far side, down near Clearfield Creek.

**Response:** The Department based its review on the permit application, and input from state wildlife agencies.

62. **Comment:** PA Waste has been supportive of the Hunt of a Lifetime program for this property. The program sponsors kids that have terminal illnesses to give them an opportunity to hunt. This year alone there were eight young kids who had never shot a deer, who actually got their first chance at a buck. PA Waste has also been approached by a search dog group out of western Pennsylvania that would like to come in. They want to train their search dogs on the property.

**Response:** The Department appreciates that PA Waste has engaged in outreach to the community regarding use of the land in certain circumstances. The Department's decision, however, must be based on whether the application complies with the Department's regulations and the Solid Waste Management Act.

63. **Comment:** The hunting lease has been a positive experience and there have been no issues while working with PA Waste. As a local resident of the community in Clearfield County, I appreciate this opportunity to utilize the property for hunting. Over the last year and a half existence of the lease I've been able to spend a considerable amount of time on the property. I've seen a definite increase in local wildlife and hunting opportunities. This not only benefits the hunting lease, but the neighboring properties as well due to the increase of wildlife of the area. The management of the property has substantially lowered the number of poaching and illegal activities on the property. The illegal activities on the property prior to the lease were very high, with illegal killing of big game, scattering of littering and trucks passing, just to mention a few. The reduction of this illegal activity not only benefits PA Waste property, but also benefits the neighboring properties and the community. I have also had the opportunity to look at the proposed layout of the landfill. Yes, there will be some land that will be utilized by the landfill, but it will have minimal effect on the local wildlife. I feel that if management of the wildlife is completed on the remaining acreage of the property, with cooperation of members of the lease and PA Waste, hunting opportunities will continue to increase within the PA Waste property and neighboring properties. I believe through hard work and cooperation with PA Waste and the hunting lease members, the goals of continuing to manage wildlife on the property and keep illegal activity to a minimum will be completed, along with additional benefits to the community. In closing, I want to state that the hunting lease is just one positive example of how PA Waste has attempted to work with local members of the community in a positive way.

**Response:** The Department appreciates that PA Waste has engaged in outreach to the community regarding use of the land for hunting and wildlife management. The Department's decision, however, must be based on whether the application complies with the Department's regulations and the Solid Waste Management Act.

64. **Comment:** I've been affiliated with PA Waste for about approximately the last year and a half as a member of the hunting lease that is on the property. During that time period, PA Waste has been cooperative, respectful, responsive. And through our collaboration with them, we've been able to see an improvement in the land. There has been a decrease in the amount of destruction on the property, which has resulted in an increase in the wildlife. But there is one blatant concern with the land – the acid mine drainage. Through the environmental efforts of PA Waste there are many benefits.

**Response:** The Department appreciates that PA Waste has engaged in outreach to the community regarding use of the land for hunting and wildlife management. The Department's decision, however, must be based on whether the application complies with the Department's regulations and the Solid Waste Management Act.

## **Groundwater and Surface Water Impact Topics**

65. **Comment:** I've seen the active mine drainage in the streams up there. The strip mines have left it dead. Those streams are red. They're not just, you know, brown or sulfur colored. They're actually red when they run into Clearfield Creek. DEP needs to look at what it's going to do for the ground itself. The acid mine drainage in the streams is appalling. It's sad that the strip-mining operations have left the property as it is. The DEP has a treatment - actually a treatment section on the Clearfield side of the property that has to be cleared up and corrected by DEP as part of their mine reclamation program.

**Response:** The current treatment system installed by DEP Mining will be turned over to the property owner, PA Waste, with the issuance of the landfill permit. The permit requires the construction of a water treatment facility that will treat leachate as well as water impacted by historic acid mine drainage. DEP has accepted the treatment of AMD impacted water as a benefit to the stream in the Environmental Assessment of the project. The permit requires that the AMD be treated, which will result in the improvement of the water quality of the stream.

66. **Comment** PA Waste will be treating acid mine drainage from the property that was caused from earlier strip mining. The plan shows treating waste from the landfill and also the acid mine drainage. That will improve the water that is draining off the property, as compared to the quality of the water of how it is now. There are many other positives that PA Waste has proposed would happen if the landfill was approved.

**Response:** The site is a historic mining site that has had significant issues with minerals and AMD, as such the permittee will be required to address the environmental issues that resulted from the previous operations. This includes that the AMD be treated, which will result in the improvement of the water quality of the stream.

67. **Comment:** An environmental harm is the impact of the surviving wetlands. It is accepted that the landfill will directly impact nine wetlands and have secondary impacts on three others. The proposed solution to this is to construct wetlands of higher quality. But there is no mention of where these wetlands will be created, where the money to do so will come from, or what exactly will make these wetlands a higher quality. Therefore, this cannot be considered a benefit nor a mitigation of a harm, as there is no proof of when, where or how these wetlands will be created.

**Response:** There are no exceptional value wetlands located within the landfill footprint. The impacted wetlands total 0.66 acres. The wetland impacts were reviewed as part of the Environmental Assessment. The DEP's Watershed and Wetland Program issues permits that authorize construction of the replacement wetlands. The location of the proposed replacement wetlands will be determined through that permitting process.

68. **Comment:** An environmental claim is that the landfill will stop the acid mine drainage. But there is no actual timeline for the movement of acid rock or the treatment of contaminated groundwater. Although a plan is in place to do so, this is not binding, and therefore, it's only

a potential benefit, which may not happen. It is therefore clear that the known harm of leaching far outweighs the potential benefit of the acid mine treatment.

Even if this treatment were to occur, the toxic leakage from the landfill would outweigh the benefits from the acid treatment. There are already numerous methods in place from both federal and state organizations to minimize, neutralize and treat acid mine drainage. These solutions have been highly effective. On the other hand, the landfill proposes to treat one problem by creating another. What is then clear is the construction of the landfill will result in the known home of toxic leakage in the environment. The only potential benefit is the potential treatment of acid mine drainage. However, this is not an assured benefit and it is not the most effective way to solve the acid mine drainage problem.

**Response:** The permit outlines the timeline required for the movement of the acidic rock and the AMD treatment. The existing AMD treatment system becomes the responsibility of the permittee upon issuance of the permit. The construction of the second AMD treatment system that will also treat leachate from the landfill is dictated by the construction sequence of the facility. The acid bearing rock that is currently in PODs must be disposed of within the first seven years of operation of the facility as outlined in the Environmental Assessment and referenced in the permit.

69. **Comment:** I've lived in Sanborn, in that area for most of my life. I hunt in that area and I see all the runoff that's polluting the streams. My opinion is that with the technology they have now, if they put the landfill in they can treat the water effectively. The ground is already pretty much ruined up there from strip mining and all that there. I think the money could be given to help the surrounding communities. I'm kind of in favor of the landfill.

**Response:** The permit requires that the AMD impaired water be treated along with leachate from the landfill, which will result in the improvement of the water quality of the stream.

70. **Comment:** About 22 years ago, we had a problem with the Benjamin Coal Company going bankrupt up in the Westover. I was very instrumental, along with others, in stopping the bankrupt coal company from not treating the polluted waters. If that had not been done within several days of the expiration date of those permits, we would have seen the Chess Creek from Westover down into the Susquehanna River, down in Curwensville Lake, down through Clearfield Borough, down through the lake, the whole way down to Harrisburg. This water would have been destroyed. I don't live in the area. I travel to it. I have fished it, I have hunted it, I have walked it. It's a beautiful piece of property. It's no place for a dump.

**Response:** The regulations clearly state liner and construction requirements in order to protect the environment. As such, the design of this site is a double lined system with leachate collection and detection as well as ground water monitoring.

71. **Comment:** As a young boy I fished many streams in the area and many of those streams after I did that became polluted with acid mine drainage. However, I would like to say at this point the Susquehanna River Basin and other watershed organizations have been working

very hard to restore and mitigate the insults that were put on by the acid mine drainage. Many of those programs are successful. To add toxic waste from a municipal landfill would be a step backwards. To quote some other people who mentioned the mission statement of the Department of Environmental Protection, the mission is to protect Pennsylvania's air, land and water from pollution and provide for the health and safety of its citizens through a cleaner environment. Citing the proposed landfill is contradictory to the DEP mission. I strongly oppose this landfill.

**Response:** The permit requires that the AMD impaired water be treated along with leachate from the landfill, which will result in the improvement of the water quality of the stream. The landfill is only permitted to receive municipal waste and is not permitted to receive hazardous waste. After thorough review and consideration of site-specific conditions, the DEP is satisfied that the applicant has demonstrated that the proposed project satisfies regulatory standards and includes protections to ensure the project does not cause unreasonable degradation, diminution or depletion of the environment.

72. **Comment:** I would like to remind you that we are part of the Chesapeake Bay Watershed and as such, everything we do both as a positive or a negative has a long-lasting effect on the Bay. I believe that if this landfill is approved to be constructed, it will do irrevocable harm not only to our own water and environs, but most certainly to the Chesapeake Bay. I urge you as you have done in the past to deny this permit.

**Response:** The DEP understands that this facility will be located within the Chesapeake Bay Watershed. The water treatment facility that is a required component of the permitted facility will improve the quality of the currently impaired water leaving the site.

73. **Comment:** As a retired employee of the Clearfield County Solid Waste Authority and Planning Commission, I was involved in the aspects of PA Waste's application and all protests and rulings afterwards. I remember how relieved we were that the application was denied. I also remember my former Director, Jodi Brennan, was in contact with a noted hydrogeologist who advised that if this landfill was put in, it could jeopardize the Burgoon Aquifer which he considered a pure water source. I don't know how your agency can approve, much less consider, PA Waste applying again for this permit with its inherent dangers. The lawyers who own this don't care if our water supply goes down the tubes, they can afford to move elsewhere. Residents in my area can't afford to move. They are mostly low income or retired on a fixed income.

**Response:** The DEP could not refuse to accept the application, which was reviewed for compliance with all applicable state environmental laws, regulations, and Acts. These laws address in part the required separation of the bottom of the landfill from the water table. Monitoring wells were installed as part of the review process to ensure compliance with this requirement.

74. **Comment:** We are opposed to this landfill. The fact that it is being built over the aqueduct for our clean drinking water is of utmost concern. Once water is polluted from ground leakage, it will never be able to be fixed. Our water supply will be forever ruined. Then what will we do for clean water? We know this will eventually happen.

**Response:** The regulations clearly state liner and construction requirements in order to protect the environment. As such the design of this site is a double lined system with leachate collection and detection as well as ground water monitoring.

75. **Comment:** A local engineer has spoken many times over the years regarding the fault under the ground in the area of the proposed landfill; he has very strong concerns about the leaching of hazardous materials into our local water supplies I do not understand how this fact can be overlooked; a clean water supply is one of our most valuable assets. There seems to be strong opinions that the acid water on the property can be cleaned up in better ways than adding more hazardous materials on top of it.

**Response:** Extensive borings were conducted at this site, and no geologic instability was noted. The site is not located within a seismic risk zone and is not underlain by any geologic hazards, unstable foundation conditions, or deep mined areas. There is no Federal law that prohibits the construction of this landfill at this location based on the existence of a fault; however, the Department has considered the existence of a fault under both Federal and state regulations.

### **Environmental Impact Topics**

76. **Comment:** The environmental assessment was issued on May 3rd, 2018, and the Department determined that the benefits clearly outweighed the harms, the potential harms. There's a couple of big issues in there that I want to touch on given the time limitations. The first one is that the Department focused on the two dollar per ton host fee being paid or that would be paid to Boggs Township per a host municipality agreement. The County and others, as a matter of fact, believe that that agreement is no longer valid, and in fact, may never have been valid in the first place. And there are several reasons for that. The first is that the host agreement states that the agreement becomes void and of no further effect if PA Waste is unable to secure any required permit or permits. That agreement was executed in 2004, and here we are 14 years later. We've been through several iterations of this permit application. It's been denied, it's been appealed, the appeal has been withdrawn. That agreement has no end date to it. So, by a matter of law and a matter of public policy, that permit is no longer in effect because PA Waste hasn't been able to secure the required permits.

Secondly, the agreement states that the agreement will remain in effect until PA Waste abandons the project. The County believes that that abandonment occurred on April 14th, 2016, when the appeal of the previous denial was withdrawn. At that point, the EHB dismissed the appeal. There had been no notice from PA Waste that another application was going to be submitted. So in effect, at that point, PA Waste had abandoned that project and that agreement became null and void.

Finally, on the host agreement, Commissioner McCracken brought it up earlier. There was a previous lawsuit by one of PA Waste's owners Mr. Delibrio against PA Waste in Philadelphia County Court. The host agreement says PA Waste will build and construct and operate a landfill. The lawsuit by the two principals of PA Waste stated that PA Waste going to get a permit for sale on the open market. By virtue of that fraudulent inducement to Boggs Township, the County believes that that host agreement was never legally obtained, validly obtained, and should be declared null and void and the Department should not consider that two dollar per ton host fee as a benefit.

Okay. Further comments on the harms/benefit analysis. There is three statutorily required fees that would be paid; the growing greener fee, the environmental stewardship fee and the Act 101 fee. However, without knowing the source of the waste that's going to go to this landfill and where that waste is currently going, it's very speculative to say that that - that those fees would be a benefit because if the waste - planning to go to the PA Waste landfill is already going to another landfill in Pennsylvania, all they're doing is moving waste from one landfill to another and the fees that would be generated through the Camp Hope Run Landfill disposal is just, you know, robbing Peter to pay Paul at this point. It's not an additional benefit. It's just the same money from a different So the County believes that that benefit should be minimized. The benefits are very speculative. For example, in Elk Township where the Greentree Landfill is, Boggs Township is paid a one dollar per ton host fee. Total waste disposed at Greentree in 2007 was about a million tons. In 2016 it was about 379,000 tons. At a dollar per ton that's over \$6 million in host fees lost over nine years. Any host fees that are speculated by this permit application, again, are clearly speculative. And the Department has stated clearly that speculative benefits shouldn't be - shouldn't be part of the mix.

Finally, if the landfill proposes to take 5,000 tons a day for 21 years, again, that's also a speculative benefit. For instance, if they only take 2,500 per day for 21 years, after 21 years they would seek an expansion of the - an extension of the permit life, so the harms would continue, but the benefits wouldn't increase because it still would be the same amount of waste. So the money - the economic benefits would be the same, but the harms would continue until the landfill is finally closed.

**Response:** There are numerous items within this comment that are related to the Environmental Assessment. The first issue is the host agreement; the Department is not party to the agreement and cannot determine if it is active or void. Boggs Township has not indicated to DEP that there is any question of the validity of the agreement. The settlement agreement reached between the DEP and PA Waste in the most recent appeal included allowance for the resubmission of a new permit application.

Any decision to sell the permit in the future is a business decision and is outside the scope of DEP's review of the application. Prior to a Department action to allow a permit transfer, the new owner would be required to submit a modification application for ownership change. This would be subject to DEP review and the new owner would be required to agree to all terms and conditions of the permit. The fees associated with



operation of a landfill are considered a benefit to the host municipality and to the state since they are fees associated with legal disposal of waste.

77. **Comment:** I am a community member and I also own a business here. I am working in the service industry in this area. Folks, we do have a great community. This garbage dump absolutely can't come here. These guys have been denied in the past. If they do grant this one now, it proves the corruption within the DEP. We pay these people to do their jobs. You see the number of us. The majority of us don't want this. You're tax paid employees. You're not making money for the state. You employees to do the bidding of your people. Safety matters, our community matters. We're going to frack it, we're going to mine it, we're going to keep on doing whatever we want. One of the environmental issues that has not come up yet is the air quality that we're going to suffer. Lung disease is extra prevalent downwind of every dump in the country. They can look it up, you don't have to. They're paid to look it up, to know this. Nobody is saying anything about that. In Lawrence Township we're downwind here of Clearfield County. You will die of lung cancer if this guy here puts his shit dump in our community. He doesn't care and his firm doesn't care about us. They're bringing the garbage from their community to our community. And the DEP, tax paid employees, think they can give the right and permit. Do you know who benefits from this? Tax paid employees who get all the money for their stupid salaries. This is ridiculous. It's corrupt and we're not going to stand for it in Clearfield County. You're an employee. Do your jobs. These public hearings are crazy. We are all in here telling you. Nobody's here giving you -Yeah, there are three or four people paid to be here that were talking about the benefits. Obviously, when you're paid, you're benefitting from it. None of us are paid. Guess what? Get ready for lung cancer, because if this place comes in, it's going to kill a bunch of our people. My son is the one who's going to be here someday to bury us and then start burying his own kids from his freaking diseased landfill. It's not even our own garbage going in it, so what the heck?

**Response:** The Department appreciates that there are citizens in the community opposed to this project. The Department's decision, however, must be based on whether the application complies with the Department's regulations and the Solid Waste Management Act. An Air Quality permit associated with this site will be issued that will require monitoring and controls on airborne contaminants.

78. **Comment:** DEP issued a Harms Versus Benefits statement declaring the benefits outweigh the harms. To make this statement, DEP was either unaware of all the facts, or did not care. I believe they care. PA Waste has represented to DEP a theory that will remove the nearby unlined BFI Dump from the 1980s and place it in this lined dump. In turn, they will treat Camp Hope Run with what today is acid mine drainage and mix it with the new PA Waste garbage leachate and they will discharge this cocktail into Clearfield Creek. This is a quick version of their concept, but I'm asking DEP not to take this carrot. The concept sounds great if you do a quick drive-by of the project. But let me tell you what they ignored. This dump site has a tectonic fault running directly through it. This fault will crack, located clearly on the USGS geological maps, convey storm water from the surface to the to the Burgoon Sandstone formation. The Burgoon Sandstone formation is where all the rural homes like West Decatur, Wallaceton, Sanborn, Clearfield, Madera, Parsonville, Glen Richey and

dozens of others receive their water source for drinking. Once this sandstone formation is damaged, it's irrevocable. DEP knows the fact that all their lined dumps leak. That's right, folks. Every dump in Pennsylvania leaks and they allow it to happen. Okay? There's an acceptable leak rate. But you know what? In this location we can't afford that because underneath this site is a tectonic fault. That means we are the direct conduit straight down to that Burgoon Sandstone formation. And on the way it'll catch the Mercer formation as well. These are the aquifers that we all drink from. You don't say whoops once you damage it. It's too late. But you know, this is getting overlooked so far. DEP knows this fact, that all their liners leak. DEP also knows the fact that all their dumps have carcinogens, lead, pharmaceuticals and low traces of radioactive materials in the state's lined dumps. Sure, those dumps aren't supposed to have these nasty materials, just like there are no illegal drugs in my hometown. Of all the possible suitable places in the County they picked a property with a fatal flaw. The fault is a fatal flaw. It cannot be overcome. You're throwing good money after bad, you know, and I don't like to see you do that. Now, you've already put a lot of money into this thing and you've come up empty. In 2009, they had a tremor, an earthquake in this area. I don't believe that this fault is active, but all we have to do is agitate it. You can no longer disregard these facts. Neither the dump representatives or the state have produced science to show that this crack is watertight. Why waste all the time and energy of both the dump personnel and the county planning department and legal counsel if this cannot be mitigated? I would like this issue brought to the front right now and resolved, even though your agency, DEP, or in front of a judge. I guess we'll need Mr. Rovner to attend. We have credible experts lined up to speak on this subject and we are not going away. Once you damage the water aquifer, it's irrevocable. Other less issues include the drilling of the underground mine site, which did not occur over the main heading. This is also an outstanding flaw, as well as a high-water table and the threat to the Mercer rock formation. The PA Waste engineering, of course, talks about the six local homes and their wells. I'm talking about the hundreds of wells just located within miles of there, not just a quarter mile away. This landfill will be here long after most of you are here tonight. This is going to go on for a hundred years. This is going to leak. We have 52 miles of dead streams in this county starting during World War I, a hundred years ago. The Clearfield Creek Water Association has spent the last 20 years cleaning up the acid mine drainage on Clearfield Creek and it is working. I would like to conclude that there is no benefit from this dump. Our local garbage goes to Percy, and they can take it for at least the next 20 years. Percy has a new playground, fire house and theaters, but no kids. Communities do not grow and flourish next to a dump. Dumps smell like rotten milk, and they can be smelled for miles depending on the wind direction. Ask the people what they think as far as smelling a dump. Think about on Saturday morning, out at the Wal-Mart at that time.

Do not take the carrot, DEP, for this does not solve the leaking into the ground. Let's end this once and for all. Let's address the fatal flaw. I was always taught to leave a place better than I found it. Will this really leave Clearfield County better than we found it? I will leave you with a mission statement, which is from outside of the DEP headquarters in Harrisburg. "The Department of Environmental Resources' mission is to protect Clearfield's air, land and water from pollution and to provide for the health and safety of its citizens through a cleaner environment. We will work as partners with individuals, organizations, governments and businesses to prevent pollution and restore our natural resources." Does this really do that?

**Response:** This project and its owners are independent of the BFI landfill site. The BFI site will not be modified in any way as a result of PA Waste's project. Extensive borings were conducted, and no geologic instability was noted. The site is not located within a seismic risk zone and is not underlain by any geologic hazards, unstable foundation conditions, or deep mined areas.

The regulations clearly state liner and construction requirements in order to protect the environment. As such the design of this site is a double lined system with leachate collection and detection as well as ground water monitoring.

After thorough review and consideration of site-specific conditions, the DEP is satisfied that the applicant has demonstrated that the proposed project satisfies regulatory standards and includes protections to ensure the project does not cause unreasonable degradation, diminution or depletion of the environment.

79. **Comment:** I was going bring up the fact that there's a fault line. I think there is a federal law that you can't build anything on a fault line, maybe I'm wrong.

**Response:** Extensive borings were conducted at this site, and no geologic instability was noted. The site is not located within a seismic risk zone and is not underlain by any geologic hazards, unstable foundation conditions, or deep mined areas. There is no Federal law that prohibits the construction of this landfill at this location based on the existence of a fault; however, the Department has considered the existence of a fault under both Federal and state regulations.

80. **Comment:** Three commissioners, a past commissioner, several attorneys who represent and solicit for townships and boroughs, I'm glad you're here taking in the knowledge. Representative Sankey, I did see here. I'm glad he's here. What your job is, people - and I'm not telling you your job, I'm asking. Please protect my water. Please protect my environment. Please protect my county. I have a daughter and a granddaughter. Once this landfill is built, we're losing 2,000 acres of Clearfield County. The county institutes recycling laws, we have to recycle. The Chesapeake Bay Watershed Association is charging us money to take the arsenic, the mercury and everything out of the water before it gets to the bay so them people have clean drinking water. That should be a very important concern of DEP.

**Response:** Although PA Waste owns the 2000-acre parcel, 217 acres are designated as the lined disposal area and additional acreage will be used for support services, totaling 845 acres of permitted area for the landfill. Part of the design is to include a wastewater treatment facility to treat the leachate and the current AMD from the site.

81. **Comment:** No Dump! Tectonic fault runs under area, will result in leaking water and create many ecological problems. Fault hasn't changed in 10 years! This dump won't benefit me!

**Response:** Extensive borings were conducted at this site, and no geologic instability was noted. The site is not located within a seismic risk zone and is not underlain by any

geologic hazards, unstable foundation conditions, or deep mined areas. There is no Federal law that prohibits the construction of this landfill at this location based on the existence of a fault; however, the Department has considered the existence of a fault under both Federal and state regulations.

### **Traffic Topics**

82. **Comment:** We have a very viable rail option here. There is an abandoned rail line back into the site. I would like DEP, as they're considering the permit, to look at making permit approval contingent dependent upon having rail - rail access bring the garbage in from out of the area. I think that the traffic and the safety of people on the roadways could be solved.

**Response:** The permittee has not included rail transportation in its application. Additionally, based on the rail line's website, the portion of the line that would serve this site is no longer active. A Traffic Impact Study was completed which included evaluation of the approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts and ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.).

83. **Comment:** Our community is in danger with the traffic and the traffic upgrade that was done and was accepted by DEP. To me it's a sham. They did nothing at the intersection at Route 879 going onto Route 153. Those trucks comedown Route 879 now with their airbrakes on. There have been more accidents at that interchange for so long. This summer a life was lost and a garbage truck dumped at that intersection. Nine years ago, a garbage truck dumped there and it took eight hours to clean it up. Suppose that something happened at River Road? There's no place to go. You can't just go around the block. You can't just go back on the woodland road, or you can't just go up to the top of the mountain. It is my request of DEP to require PennDOT to do a full traffic study in all the roads that come and intersect, which would be Route 153, Route 89 coming off of Interstate 80, and going up Route 153.

**Response:** A Traffic Impact Study was completed which included evaluation of the entire approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts and ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.).

84. **Comment:** I'm a Clearfield County resident. I drive that road almost every day. The coal trucks, they drive up and down the road. We live in a coal mining area. I've been dealing with them my whole life. I've gotten stuck behind more coal trucks more than I can say.

**Response:** A Traffic Impact Study was completed which included evaluation of the approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts and ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.)

85. **Comment:** The main issue is the truck traffic coming down Route 879. I don't know what time they're going to start, six o'clock in the morning, 250 trucks a day. They're going to be coming down Route 879. They're going to come down to the bottom where you turn onto Route 153. Some of those fellows will be probably going too fast. Or in the wintertime when it's snowy and icy, they're going to miss that and they're going to tip their truck onto Route 879 and into Marven Smith's back yard. And they'll continue on, back up to the landfill. And when they come back, they'll follow the same tracks. They'll come down Route 153 again to Crest Highway, where there's a stop sign there. Over the years there have been a number of vehicles that have went through there and onto the property owner's farm, which he had fenced in. He had to move it back approximately 100 feet several years ago. It wasn't a truck, but another vehicle went through there and it hit his porch and killed him. I am definitely against that truck traffic in Clearfield and Clearfield County. We do not need it and it is very costly. I'm not sure how much it's costing, millions of dollars to the people of New York State and New Jersey. Why can't they develop a better system in their area to truck their garbage instead of bringing it into central Pennsylvania?

**Response:** All traffic, whether or not related to this project, is expected to follow all traffic laws. A Traffic Impact Study was completed which included evaluation of the entire approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts and ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.)

86. **Comment:** A lot of this is the transportation. Over my lifetime I've driven well over a million miles in central Pennsylvania, working in management and sales. I've seen the quality of the drivers that they have driving these garbage trucks. A good example is on Interstate 80 at Exit 120. There's a stop sign. Trucks run that stop sign all the time. Recently, I pretty near had an accident there. I came up getting off of Interstate 80 to come into town.

A truck that was eastbound getting off pulled right out in front of me. Probably in Clearfield County, with the exception of Shaffer Road over at DuBois, that is the busiest stretch of road in the county. Some of you are annoyed by the exhaust brakes on trucks, with modified exhaust. Trucks will be under full power coming up the grade from the interstate. When they crest, they'll have to slow down to get off onto Park Avenue. They'll be on their jake brakes hard. How many of them have basically illegal exhaust systems? Yeah, they're illegal in Pennsylvania. Also, when they go to turn left onto Park Avenue, that isn't that long of a left turn lane. So two or three of them are running together and they've got to wait. They're going to be stopping traffic on Route 879, creating a hazard. Additionally, that's a sharp corner that they take too fast. How many of you have seen a rollover of garbage trucks? It's one heck of a mess to clean up. Coming back, the intersection of Glen Ridge and Highway 153. Either way, how many truck rollovers have they had due to improper speed?

**Response:** All traffic, whether or not related to this project, is expected to follow all traffic laws. A Traffic Impact Study was completed which included evaluation of the entire approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts and ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.)

87. **Comment:** There are three blind spots on Route 153: Longhorn Road to Route 153, Old Neary Pike to Route 153, and Route 53 through to Hogback Hill, where you're looking down towards Honesdale Madera. You're going to get rear ended if you turn off to Woodland there. Also there are three school districts, Clearfield, Philipsburg Oceola and Moshannon Valley traveling that road. Mo Valley goes to VoTech in the morning and afternoon. Clearfield runs morning and afternoon.

**Response:** A Traffic Impact Study was completed which included evaluation of the entire approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts and ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.)

88. **Comment:** And I'm worried about the traffic, the three stops where they are going to jam up the traffic and everything. There have been people, including the Goss family, killed out there. Out on HTP there's a blind spot, and at the top of the mountain going towards Ulysses Bridge there's blind spots. If they bring in all this traffic, that's just going to be more trouble out there. My post lady just got hit by a truck, a coal truck that went by. It smashed her

windshield. I'm just so worried about so much traffic going on and stuff like that. That's what it's like with the traffic now. If they bring in all these trucks and stuff, what are we going to do with that? That's three times as much. Plus, the roads should be - right now there's no road. With the traffic they're going to bring in, how are we going to take all that traffic? I don't understand how they're going to handle everything like that. I'm just worried about the traffic and the bonding of the roads.

**Response:** A Traffic Impact Study was completed which included evaluation of the entire approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts and ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.)

89. **Comment:** Since the last meeting with had with DEP in January of 2013, there's been another fatality out there. We actually lost a Boggs Township supervisor. This is something that's going to continue on and probably get a lot worse. Since we've approximately had ten new young families move into the area, several with young kids, some just thinking of starting a family. I think this is something to really concern us because these are young families coming to this area. There's going to be more busses out there, more stops. And you've got to deal with all this garbage? I don't think that's right.

**Response:** A Traffic Impact Study was completed which included evaluation of the entire approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts and ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.)

90. **Comment:** We in Clearfield have a small fire department, police department. We rely on the help of other areas. You have the traffic that goes through our town when there's an accident on Interstate 80. Our men go out, they spend hours directing traffic, moving the traffic. They don't get paid for it. Our equipment sits out there and runs, eats fuel. Our police chief is out there doing things. We get no recovery other than usually another accident involved with moving the traffic. My emotions tell me this is all wrong. I feel for you people who are affected directly, because you had a beautiful, beautiful, beautiful piece of country out there.

**Response:** A Traffic Impact Study was completed which included evaluation of the entire approach route by the applicant. The study was reviewed by PA DOT, and independently

reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts and ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.)

91. **Comment:** When I went over the traffic study results, I was surprised to see the small- time window that they used when traffic was at is greatest, and only the three stop light intersections from 4 pm to 4:45. It really starts at 3pm with the school busses and runs to 5pm. The other great flaw was there was no study at the entrance of Rt. 879 onto Rt. 153 at Park Ave. which is the most dangerous area of the 10.2-mile trip to the landfill from I-80. It was written that this travel area has less traffic than the last study in 2013. Also, there was no study of traffic on Rt. 154 that is now very heavily traveled to a coal cleaning plant with a very dangerous intersection. I would request that people from DEP make that trip from I-80 to the landfill during heavy traffic to see what the local people deal with on a daily basis, and just maybe you can see my concerns.

**Response:** A Traffic Impact Study was completed which included evaluation of the entire approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts and ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.)

92. **Comment:** The area of Clover Hill Road and the junction of Route 154 is a terrible blind spot. Trucks and all vehicles crest the top of the hill and there is no way to see them coming when you pull out onto Route 153. I have been nearly hit on numerous occasions in this location due to the blind spots that exist. There is also a potential bus stop for my children and other children that live on Clover Hill Road.

Fire Tower Hill Road SR1005 across the road from Clover Hill Road is also very dangerous when entering Route 153. Again, due to the hill and turn vehicles cannot be see easily.

Ikes Tee Pee (Old Erie Pike/153 Junction). There is a wide curve at this junction and many people turn onto Old Erie Pike which means they have to stop to make the turn due to incoming traffic. Vehicles behind them have to often make a rapid stop which a large truck couldn't do easily.

West Decatur Turn Off (Old Erie Pike/Route 153). Another location that many vehicles turn off of Route 153 is at the West Decatur turn off. Vehicles traveling in the opposite direction have a blind spot that they can't see a person making this turn. Vehicles cresting the hill



have to make a rapid stop in this location as well to get stopped where the stopped vehicle is waiting to turn onto Old Erie Pike traveling toward West Decatur. Large trucks cresting the hill couldn't easily get stopped in this location either.

All four of these locations are very dangerous currently without added truck traffic and all are within a short distance of each other and all trucks would have to pass all of these locations on their way to Camp Hope Run Landfill. Also, the times of day the trucks will be hauling trash to and from the dump would more than likely coincide with morning commutes/school bus traffic.

Local businesses including my family's business which reside on exit 120 of I-80 will be negatively impacted by the increase in garbage truck traffic getting off the exit 120 on I-80. This is a very busy exit with hotels, restaurants, local wineries, gas stations, etc. Clearfield is trying to promote itself as a tourist attraction and the negative feelings towards garbage trucks and the smell will ultimately affect business in a negative way. Clearfield will be known as the exit that smells like garbage due to all the trucks being stuck in traffic on this exit. Vehicles are already lined up from the I-80 exit 120 to River Road light on a daily basis. The increase in garbage truck traffic will make this worse. All the people stuck in traffic between the lights behind and around the garbage trucks will be stuck in traffic smelling trash.

**Response:** A Traffic Impact Study was completed which included evaluation of the entire approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts and ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.)

93. **Comment:** My house backs up to Route 879 right at the Park Ave exit. We have a 50+ ft buffer of trees behind the house which, during the summer, helps with the traffic noise, but it does not buffer the trucks' brakes. This is an area of Clearfield, in particular, that will be greatly affected by a fleet of 250 dump or semi-trucks lumbering along, filled with garbage and turning onto the Park Ave exit. The idea that anyone could not see (or hear) the impact is unfathomable.

A rail line apparently runs to the area. Why is this not being considered? It would be a direct line and would not affect a town's livelihood and serenity.

As a citizen and realtor of this area, I can tell you that property values will absolutely be affected. This is a desirable area of town with a mix of older homes with well-kept yards, close to the Community Pool. We all use Rte 879 to get around easily to shopping and to Routes 80 and 322. Route 879 is also very busy with school busses in season and out. It is a major route for all the sports teams.

If there is an accident on Rte 80 it is much, much worse. I travel to State College to my office driving over Port Matilda mountain going 35-40 mph behind huge trucks (same happens to Altoona, driving over Bald Eagle mountain).

I am adding my absolute OPPOSITION to Camp Hope Run Landfill.

**Response:** The Department does not have the authority to dictate the use of rail access and must evaluate the application as submitted. Additionally, based on the rail line's website, the portion of the line that would serve this site is no longer active. A Traffic Impact Study was completed which included evaluation of the entire approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts and ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.)

94. **Comment:** I work and drive through the county for both work and personal business. I am not necessarily opposed to the landfill. But I am opposed to adding hundreds of tractor trailers (regardless of what they are hauling) to that already tremendously dangerous route. The Route 879 corridor cannot handle the existing traffic volume, let alone hundreds of additional trucks. The recently "upgraded" traffic signal system there is woefully inadequate. And the off-ramps and on-ramps between Route 879 and Route 153 are already terribly congested and dangerous with mostly locals just going about their daily business, intermixed with numerous triaxle coal trucks. I would not be opposed to accessing the site via rail service. That would be a very fair compromise in my opinion. My concerns are with the increased volume of truck traffic and the likelihood of numerous accidents resulting in serious injuries and fatalities to innocent people.

**Response:** The DEP appreciates and acknowledges this comment. The Department does not have the authority to dictate the use of rail access and must evaluate the application as submitted. Additionally, based on the rail line's website, the portion of the line that would serve this site is no longer active.

95. **Comment:** Most of the concern that I noticed was the truck traffic. They don't realize that those men or women drivers are earning a living to support a boy or girl and send to school. Also, not only Clearfield or Boggs Township will benefit [from] the creation of jobs and substantial benefits. Another thought is that when I worked for 20 years all medical waste had to be picked up in refrigeration trucks and hauled to Ohio or New York to an incinerator. Pennsylvania did not have a place to dispense the materials. The local collectors would not have to travel as far, and the customers rates would be lower. I live in a small town called Houtzdale in Clearfield County. Not much left to our little town and much revenue. We have an old building falling down. We went to the Commissioners three times

for help to tear down and move. My view is go for it. It will benefit everybody. As far as the traffic - they pay license, inspections, taxes to run on the highways.

**Response:** Thank you for your comment.

96. **Comment:** We attended the meeting on July 23, 2018 for the proposal of the permits to go forward for the Camp Hope Run Landfill. Some people touched on using rail lines, instead of trucks to transport garbage to the proposed dump site. I have thought about what everyone said and wondered if rail is a good option to transport trash to the site. If the cars are open-top containers – depending on what the weather conditions are – if it is raining or snowing, all that water is going in to the containers of garbage. If the bottoms are not sealed, once they take on so much water, are they going to leak? Also, how many bridges with open bottoms are these trains traveling across if in adverse weather will let any liquids drop right back into our clean streams and waterways. Also, how many streams are these rail lines going to follow? The one across from our residence follows Big Clearfield Creek into Faunce, which if the train derails, where is all the garbage going, and how many cars will be involved? Now, how do you clean that up if it goes into the water? This rail line is cut into the middle of a hill, and if it derails, there is now way to get the train cars back up to the rails. In the past, when this rail line was open, there had been cars full of coal that derailed down over the side hill and they are still there from the 60s and 70s. That was Conrail at the time, and even with their equipment, they could not get the cars up over the bank. The cars are still resting in the same spot. What if the train has to stop in order to get permission to go through a county or township, and how many houses is it going to stop beside? Will it be raining; will it be an August day when it is hot and humid, and what will the people have to be smelling until they get permission to move their garbage from one place to the drop-off point?

We live along Route 153 South on Krebs Highway in Lawrence Township in Clearfield. Look up when this road was constructed. You will probably find it was constructed in the early 60's and not made for the amount of extra traffic this is going to create. If run to maximum, it will be 250 trucks one way – that's not counting return trips if they pick up an empty container and drive it back. As far as other truck traffic, we have RES, which is a coal company that constructed a cleaning plant across from our residence, and this has increased the truck traffic considerably. In addition, there are log trucks, tractor trailers and general traffic. This is a heavily travelled road. No one along this road has a safe place to pull out of their driveways. If the permits are permitted, we get hit from both ways – the truck traffic 25 feet in front of our house, and the rail line, which is across the creek from our house, so what is the positive for us? If here is an accident on Interstate 80, most all of the traffic, if they close down an Eastbound or Westbound lane, is always routed down Rockton Mountain through Clearfield to the next exit. We have seen this many times, and it is a real mess with both lanes filled with trucks and various vehicles. Where are these trucks going to get off? They all have CBs and cell phones and will contact each other once they find out an easier route to get to their drop-off site.

**Response:** The Department does not have the authority to dictate the use of rail access and must evaluate the application as submitted. Additionally, based on the rail line's website, the portion of the line that would serve this site is no longer active.

A Traffic Impact Study was completed which included evaluation of the entire approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts and ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.)

97. **Comment:** My major concern is with the traffic on Route 879 and 153 and the dangers at many of the intersections, and only a small three-quarter mile of study was done for PennDOT and accepted by you in their study. I still do not understand why a full traffic study - for it has been five years - was not required with the ADT (average daily traffic) shown and accident reports from those sketches from back in 2002 through 2013 when I started to track the traffic with a state engineer. I have lived along Route 879 for sixty years and dealt with the traffic, but I will fight trucks coming in here from New York or where ever out of state, to the very end. I know I will never see the 21 years that is proposed in the agreement. My other concern is if this permit is given to these people, what will happen when they sell it to a garbage company, and want to change things down the road, or if things are not followed as the agreement is set up? Who will see that trucks are not on our roads out of regular hours that have been set? These are my major concerns I would like you to take into consideration before issuing a permit. Although I am sure there many other environmental concerns that will need to also need to be looked at. It appears to be the great deal of money to be generated against the way of life for the complete surrounding communities that will be affected by traffic, truck fuel and garbage smell and most of all danger to our citizens at so many intersections of highway from Interstate 80, down 879 onto 153, and out the approximately 10 miles to the landfill.

**Response:** A Traffic Impact Study was completed which included evaluation of the entire approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts and ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.)

Persons and companies that receive permits from the Department are entitled to submit applications to modify those permits. However, any such modification must be justified in the permit application and major permit modifications will include public notice and comment before any decision is made.

98. **Comment:** I am writing to oppose the proposed Camp Hope Run Landfill in Boggs Township, PA. I have attended all the DEP public meetings concerning the dump including the latest on July 23rd. I've heard both sides of the issue, but I strongly feel the dangers and disadvantages outweigh any kind of benefits. What factors changed this time around in the permit process to proceed since it was denied three times previously?

Obviously, first and foremost are the environmental concerns. Many engineers have concluded that any leak in the landfill liner could contaminate our area's water. There are very justified concerns about pollution, wildlife displacement, and air quality.

My main concern involves the massive truck traffic projected for this landfill. My home is located right at the intersection where State Route 879 turns onto Route 153. My driveway is literally at the foot of this intersection and my living room window looks out over the entire interchange. Given that I have a "front row seat" of the area in question, I feel I have a unique perspective.

In the 23 years I have lived in my home, I have witnessed many, many accidents at this dangerous spot, both where traffic turns from SR 879 to the SR 153 exit and the stop sign in front of my house where traffic merges onto SR 153. There was just a fatal crash at this spot 3 weeks ago. Recently, I was rear-ended waiting to turn into my driveway and have been involved in way too many near misses.

When traveling south on Park Avenue towards the Route 879 interchange, you travel up a steep grade. This causes a severe blind spot right at the stop sign. This is an issue for both traffic traveling on SR 153 and those turning onto it. These current problems will severely be amplified by the proposed 250 trucks per day traveling these areas.

The Lawrence Park Village low income housing facility is across from my house and also located at this dangerous intersection. Many residents do not own vehicles and have to walk across this busy road. There is a large amount of foot traffic every day, including many children. This also means school busses make a number of stops at this intersection during the school year.

I am also a local business owner and a member of the Clearfield Chamber of Commerce. Many of my fellow business owners are concerned about this amount of truck traffic suffocating our businesses. Not only those located along SR 879, but also many of our downtown business customers will struggle through heavy truck traffic. Our local police and fire companies are stretched thin and would be hard pressed to respond to the increased number of accidents and potential hazardous situations. Please deny this permit and stop this landfill idea once and for all.

**Response:** A Traffic Impact Study was completed which included evaluation of the entire approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts and ways to minimize those impacts. As a result, the

Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.)

99. **Comment:** We have traffic concerns to the safety in our area as we live on the route that these trucks will be traveling. In the past we had two individuals life flighted from two separate accidents right at my driveway. Not to mention four other accidents that occurred pulling into or out of my driveway. We already have so many tractor trailers running past at all hours running their jake brakes which this will more than double if the landfill comes in.

**Response:** A Traffic Impact Study was completed which included evaluation of the entire approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts and ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.)

100. **Comment:** We have raised our children in a home at the intersection of the Route 879 Bypass and Route 153 Park Ave in Clearfield. We have resided here for 23 years. During that period, there have been countless accidents at this very dangerous intersection, including a recent fatal one. When you are traveling up Park Ave in the direction of Glen Richey, when you approach the Rt 879 exit coming onto Park Ave, there is an uphill grade, resulting in very poor visibility. Sometimes folks travel too fast up Park Ave when they approach this area and are unable to avoid vehicles coming off the exit. Additionally, when you are coming off the exit, it is sometimes hard to see vehicles approaching on your left coming up Park Ave.

I have a huge concern about all of the school traffic on Rt 879, including both buses and high school students traveling by car. The situation is made more dangerous in the winter time, when folks tend to travel too fast for conditions, and the bypass can become very icy. In addition to Clearfield Area High School, at least two other schools use the routes that the trucks going to the dump would use (coming to Clearfield Vo Tech School).

Also, naturally there is a concern about homes and businesses along the truck route diminishing in value, including our own. We already live in a depressed area; this will only further decrease values and keep people from moving into our area. Lawrence Township, which will receive most of the truck traffic, will not benefit in any way from the proposed landfill.

**Response:** A Traffic Impact Study was completed which included evaluation of the entire approach route by the applicant. The study was reviewed by PA DOT, and independently reviewed by DEP. The DEP has taken into consideration information submitted by the

applicant as well as recommendations made by PA DOT, the agency with the expertise and knowledge of traffic impacts and ways to minimize those impacts. As a result, the Department has added a condition to the permit requiring compliance with the TIS and DOT recommendations. (All provisions of the Traffic Impact Study must be implemented per PA DOT approval as reviewed and incorporated into the Environmental Assessment by the Department.)

### **Waste Acceptance Topics**

101. **Comment:** When reviewing the applicant's previous application, the Department in its July 11th, 2008 permit denial letter emphasized the importance of site suitability and further stated that DEP interpreted Section 507 of Act 101 as requiring the Applicant to identify the source and quantity of the waste expected to be disposed of at the facility and to identify the current disposal location of this expected waste. DEP stated the Applicant had not known that redirecting the waste from existing landfills to Camp Hope Run Landfill would be more cost effective. We wholeheartedly agree, however, the interpretation of this section by the Department has changed for this new application submittal, while the regulations have not. To date, the county has not been provided any legal reasoning for this change, which we argue is detrimental to the state's waste management and recycling as set forth in the Waste Management Regulations. The Department's May 3rd, 2018 environmental assessment evaluation states that the Department conducted a site suitability analysis and determined that the proposed site is at least as suitable as other sites but failed to provide the reasoning or factors the Department used in their analysis. The County has made the same written objections to this application as well within the 60-day required response timeframe regarding excess capacity, site suitability, and interference with the county plan. The regulations place the burden on the applicant to prove non-interference with the county plan. However, PA Waste made no such attempt and the Department simply accepted PA Waste's lack of effort. The application is completely devoid of any information that would allow the department to make any sensible determination that the facility would not interfere with the county plan and instead places the burden of proof on the county to show that the facility will, in fact, interfere with the county plan. Simply stating that it's not in the plan, therefore, it's not going to interfere does not address the valid objections raised by the county. Section 273.139 of the regulations requires a detailed response to such written objections. The Department's May 3rd, 2018 environmental assessment evaluation provides no such detailed response. There was no thoughtful consideration of the County's objections provided, nor any justification for overriding those objections. The Department itself has documented and provided testimony that excess landfill capacity and disposal costs work against broader waste management and reduction of environmental rules by making disposal financially preferable to waste minimization, energy recovery, reuse and recycling. The county already has more than adequate capacity secured for the next ten years. In addition, the disposal facilities included in the most recent county plan update will be able to provide county additional capacity in the foreseeable future, 30 to 50 plus years out when the current contracts expire due to their ability to reasonably expand their facilities. And the same goes for our neighboring counties of Elk, Blair, Cameron, Centre, Clinton, Indiana and Jefferson, as we documented in the County's 60-day objection letter from September 2017. The Department should understand the importance of protecting the waste management and

recycling benefits that were secured through the County's waste management plan as both the County and Department expended significant resources defending this very plan from an appeal filed by Waste Management. In defense for our current County waste management plan, the Department's own Larry Holley, the program manager of the Department's Division of Waste Minimization and Planning, gave expert witness testimony in 2013, stating that the Department is required by state law to promote and emphasize waste reduction and recycling. By issuing this permit, the Department would actually be doing the opposite, by placing an additional impediment onto the County's already struggling waste reduction and recycling efforts. How so? The Department knows that the County has the obligation and responsibility to consider all requests for addition into the County plan. It is a virtual certainty that such a request will be made as soon as the permit is secured. When the request is made, our local haulers will begin pressuring to add the Camp Hope Run facility for their added convenience. We know all too well how much influence our local haulers will have in affecting public opinion. The Department itself recognized this influence in Mr. Holley's expert testimony, which supports our claims that haulers will indeed influence public participation. If the County were then to add Camp Hope Run Landfill to its plan, the private sector negotiated benefits secured through its plan, which are used to support the County's waste reduction and recycling programs would become null and void, as per the conditions of the negotiated contract between the County and Advance Disposal. This means the \$34,000 per year of free drop off recycling services will be terminated, as will the annual cash donation of \$27,500 used to support the program such as our legal developing enforcement and cleanup efforts. This will directly and without question result in a loss of County reduction and recycling programs. Mr. Holley's testimony also details how rural programs are suffering from the value of the two dollar per ton fee collected by the state to support - programs have diminished. And if things weren't already bad enough for recycling, the recent China commodities ban has further diminished the market value of recyclables. We strongly urge the Department to reconsider its review of the County plan, interference and site suitability as clearly it was not given the proper consideration it is deserved and as is required by state law.

**Response:** The Department is obligated to assess whether the permit application complies with applicable rules and regulations. The site suitability test used by the DEP to deny the application in 2010 required the agency to look at the source of waste to be disposed at the facility. However, this regulation had been rescinded which is why the Environmental Hearing Board overturned the Department's decision. The Board ruled that the Department improperly subjected the applicant to a site suitability analysis that was contained in a repealed regulation that was separate from the environmental assessment review in 271.127.

The Department reviewed the current application under its environmental assessment regulation, and other applicable laws and regulations. Section 507 of the Municipal Waste Planning, Recycling and Waste Reduction Act provides that the applicant demonstrate that any proposed facility shall not interfere with an approved county solid waste management plan. The permit application has not proposed to accept any solid waste from within the county. The authority to modify the county plan resides with the county.

The reference to Mr. Larry Holley, Program Manager of the Department's Division of Waste Minimization and Planning, is in regard to the Department's support of recycling.



The DEP strongly supports efforts statewide to recycle and reduce waste. However, that does not impact the permitting of a landfill to address waste disposal.

102. **Comment:** How many loaded trailers are going to be parking there? Are they going to unhook their trailers, hook onto an empty and then have a driving tractor? Probably a good parking lot at least full of garbage.

**Response:** The applicant has not requested staging of full loads of trucked waste within the operational footprint of the site. This request would require a permit modification application and additional DEP review.

103. **Comment:** Why do we have to have a better landfill? We've got Kersey and Wayne Township in Clinton County.

**Response:** The Department's obligation is to review and make decisions on applications submitted. The Department does not decide what facilities a person may seek to permit.

104. **Comment:** The landfill lacks need. The landfill is proposed as a municipal waste landfill, but cannot accept municipal waste, as it's not on the county's solid waste disposal plan. It's also unclear where the waste for the landfill would actually come from. The environmental assessment analysis even mentions that, "any benefit as a result of the construction of the landfill is speculative". And it rejects the applicant's claim that the landfill actually fills a need. Surrounding landfills have more than the ability to take care of our waste. Therefore, this landfill is absolutely not necessary. This clearly shows that there are no long-term benefits resulting from the landfill, nor is there a need for the landfill itself. When the environmental harms of the landfill are factored in, it clearly shows that it would result in a net harm to the residents and to the environment of Clearfield County. I strongly urge that the construction of the landfill to be blocked.

**Response:** The proposed landfill can accept municipal waste from outside of Clearfield County. Section 271.127(f) of the Department's regulations provide that an applicant may identify the need for the facility, which would then be considered by the Department when reviewing the facility's overall harms and benefits. However, the regulations do not require that an applicant demonstrate need in order to obtain a permit.

105. **Comment:** Everybody that's wary of this dump better start to think about what that means about the price of your garbage at the back door. If everybody in this country says no dump, you're going to see \$100 a month charge for your garbage. That's not good. Now, listen to this. They're statistics that don't lie. Waste 360 News reports Pennsylvania's landfill capacity is shrinking. Where are you going to take it? According to recent announcements by the Pennsylvania Waste Industry Association, the state will soon face a severe loss in disposal capacity. That is based on permitted volume and volume statistics published by the State Department of Environmental Protection. For the past two years, DEP has not issued a single permit for a new municipal waste landfill. And they have not issued a permit for expanding an existing landfill. As a matter of fact, there has not been a permit issued for a new MSW landfill in more than 21 years. Pennsylvania has less than 6.3 years available for

MSW disposal capacity and less than two years of adequate capacity in the eastern half of the state. According to PWIA, the analyses indicate that by the end of next year, most of the state will face a capacity deficit of more than 12,000 tons per day. There are 166 permitted landfills in the northeast. U.S. landfills have decreased from 6,326 to 1,956 between 1990 and 2014. This is about a 300 percent decrease in 24 years. Thirty-six (36) percent of all U.S. landfills are privately owned. Sixty-four (64) percent of all U.S. landfills are public entities, government, townships, counties. They like them, they have the economy. Household waste is the primary source of MSW, 55 to 65 percent of the total MSW generated. Each individual generates three pounds of MSW waste every day. This is corrected for recycling. Otherwise it would be 4.5 pounds per person. Local governments are agreeable to landfill business because the economic development is worth it to the community. The increased demand for waste disposal space as the population increases throughout the United States will have an effect on the cost for disposal at everyone's back door. In closing, I want to say this. One day several years ago PA Waste members and DEP members from the waste office were on the proposed landfill site discussing the layout of this disposal cell. While several of us were leaning on my truck looking out over the site, a DEP waste official came over and said it doesn't get any better than this.

**Response:** As to the alleged statement by the DEP official, it does not represent the Department's current process in the review of this project or its decision to issue the permit.

106. **Comment:** I've been around the dumps down in Maryland. As a matter of fact, this comes out of New York State, Jersey? So, where's it come from? They're going to move it up from Bucks County to here. Why don't you just leave it there? Thank you.

**Response:** Due to laws that limit the regulation of interstate commerce, the DEP does not have authority to prevent out-of-state waste from being disposed at the landfill.

107. **Comment:** Pennsylvania has enough of their own waste to dispose of, besides bringing it in from other states!! We are totally against it in our area!!!

**Response:** Due to laws that limit the regulation of interstate commerce, the DEP does not have authority to prevent out-of-state waste from being disposed at the landfill.

108. **Comment:** We do not need out of state garbage. Let each state take care of their own garbage. I'm against this landfill coming into our county.

**Response:** Due to laws that limit the regulation of interstate commerce, the DEP does not have authority to prevent out-of-state waste from being disposed at the landfill.

## Landfill Construction Topics

109. **Comment:** An environmental harm is the impact of the leakage and leeching results of the landfill. The liner of the landfill confirms to the bare minimum of the regulatory requirements. This is clearly stated and understated by the applicant. As has been stated previously, the EPA has shown that all liners will eventually crack, tear or otherwise degrade and allow leaching to the surrounding area. It is widely accepted that even the best liners will only delay the release of leaching. As the proposed landfill confers to the minimum standards rather than the highest standards, the inevitable leakage is even more likely. This matters because the chemicals in modern consumer products cause solid waste landfills such as the one proposed to produce leaching comparable in toxicity to hazardous waste dumps. This is what will be going into our water for the foreseeable future. Despite this, the DEP counts this leakage as a minor and potential harm. This means that the harms and benefits analysis that is present at the end of the environmental assessment analysis is skewed significantly in favor of the landfill and cannot actually be counted as an accurate response and analysis of the harms and benefits.

**Response:** The regulations require stringent standards for liner composition and installation. There are also detailed requirements for the installation and maintenance of monitoring wells for sampling of groundwater at and around the site. The DEP requires compliance with all state environmental laws and regulations as well as all permit conditions.

110. **Comment:** And as far as DEP standards, they allow two defects per acre, which is clearly - 436 defects or holes in this liner in this permitted area. Now you can't tell me that's not going to leak and it's going to end up into our water source. And as far as the host agreement, that should have been canceled a long time ago when Camp Hope pulled their application.

**Response:** The Department's decision must be based on whether the application complies with the Department's regulations and the Solid Waste Management Act. The regulation mentioned in the comment is an operational standard that applies after a permit has been issued for construction of the landfill. The regulations clearly state liner and construction requirements in order to protect the environment. As such, the design of this site is a double lined system with leachate collection and detection as well as ground water monitoring.

111. **Comment:** Based on the environmental assessment, I am strongly opposed to the proposed landfill mostly because of the severe irreparable damage that it could cause to our groundwater. Our family has two properties that would be in danger. One is a 129-year-old family homestead on Carbon Mine Road where we continue to have a subsidence farm for our family. That has continued for 129 years. The second one is another 77-year-old family homestead across the street on Carbon Mine Road. In general, there are two points that I would like to make. The environmental assessment analysis, number one, unrealistically minimizes the real hazard of the dump. For me and for lots of other people, it's mainly contamination of the groundwater. As some people have said, that cannot be fixed. All landfills leak. Look it up. The second point is the assessment analysis, at least for me and

apparently some other people. It does not convincingly demonstrate any benefits, any. Just in general. I would like to note that there seems to be an important omission in the environmental assessment analysis. It is stated in the analysis on page 18 that there are no concerns for seismic stability in the area of the landfill. This is different from Mr. Hughes' report, but kind of the same thing. First of all, in March of 2017 the PA DEP linked hydraulic fracking operations with an earthquake in Lawrence County, 140 miles away from Clearfield. Not that much when you're talking about strata. Number two, geologists, independent geologists and the department of natural resources have agreed that recent earthquakes in Ohio, in the last six years or so, were caused by injecting fracking wastewater into their disposal wells. One of the earthquakes was a 4.0 magnitude on the Richter scale. Number three, a fracking wastewater injection well has been approved. It is being opposed. But it's been approved by the DEP for a site in Brady Township, about 20 miles or less from the proposed landfill site. Number four, therefore, this could happen in the area of the proposed landfill. Apparently, this was not considered in the present analysis and was not studied. At the present time there are 10,097 fracking wells in Pennsylvania. All needed disposal sites for their waste. As many as 12 are now pending before the EPA. Seismic activity near or at landfill sites could disrupt the integrity of the containment of the toxic waste. And it could disrupt the liner, disrupt the integrity of the whole structure, as happened in the one in Greenville, where the whole side slid out and a guy and his bulldozer were sucked into the landfill. In closing, I encourage all those opposed to the dump to persist in their efforts. I personally am familiar with two dumps that were canceled because of public opposition in New York State.

**Response:** The regulations clearly state liner and construction requirements in order to protect the environment. As such, the design of this site is a double lined system with leachate collection and detection as well as ground water monitoring.

As to the concern about seismic activity, the applicant conducted extensive borings at the site which revealed no deep mines or geologic instability. The site is not located within a seismic risk zone as defined by EPA.

112. **Comment:** We have heard the pros and cons of having another garbage dump. What would you consider is the most important fact – the decision-making fact? Is it wrong to believe that when a dump is approved that there are no stipulations about what goes into it? No rules, regulations, warning signs? The first Boggs Twp dump was to last 13 years but only lasted 2 years. Evidently there was considerable hazardous waste.

Is this dump contained? If you move it to the new dump site how safe will that be? What kind of damage has it already done? Are dumps ever designated for certain waste?

Why would you want to deliberately put hazardous waste into an area where there is a fault line leading to fresh water. I personally would rather drink fresh spring water than chemicalized "city" water. Water is precious. Why would you want to destroy what other people are trying to protect and preserve and clean up? Remember what DEP means. Some things should be incinerated. This should be part of garbage dump with air quality control measures

**Response:** The permit is approved as a municipal waste landfill and cannot accept hazardous waste. The permit requires that the AMD impaired water be treated along with leachate from the landfill, resulting in the improvement of the water quality of the stream

### **Additional County Comments**

**Comment:** Letter dated September 17, 2017. The application by PA Waste, LLC for a permit for its proposed Camp Hope Run Landfill in Boggs Township, Clearfield County ("Application") has been reviewed by Clearfield County, which submits the following.

Section 504 of the Solid Waste Management Act, 35 P.S. Section 6018.504 provides:

Applications for a permit shall be reviewed by the appropriate county, county planning agency or county health department where they exist and the host municipality, and they may recommend to the Department conditions upon, revisions to, or disapproval of the permit only where specific cause is identified. In such case the Department shall be required to publish in the Pennsylvania Bulletin its justification for overriding the county's recommendation. If the department does not receive comments within sixty (60) days, the county shall be deemed to have waived its right to review.

The County recommends DISAPPROVAL of this permit for reasons identified herein. Moreover, the County incorporates herein by reference its letter to you dated August 29, 2017, presented to you at the LMIP meeting of that date.

Section 507 of the Municipal Waste Planning, Recycling and Waste Reduction Act, commonly referred to as Act I 01, 53 P.S. Section 4000.507 provides in pertinent part:

- (a) **Limitation on permit issuance.** - After the date of submission to the Department of all executed ordinances, contracts or other requirements under section 513, the Department shall not issue any permit, or any permit that results in additional capacity, for a municipal waste landfill or resource recovery facility under the Solid Waste Management Act, in the county unless the applicant demonstrates to the Department's satisfaction that the proposed facility:
  - (1) is provided for in the plan for the county; or
  - (2) meets all of the following requirements:
    - a. The proposed facility will not interfere with implementation of the approved plan.
    - b. The proposed facility will not interfere with municipal waste collection, storage, transportation, processing or disposal in the host county.

- c. The proposed location of the facility is at least as suitable as alternative locations giving consideration to environmental and economic factors.
- d. The governing body of the proposed host county has received written notice of the proposed facility from the applicant pursuant to section 504 of the Solid Waste Management Act and, within 60 days from such notification, the governing body of the proposed host county has not provided the Department with written objections to the proposed facility. Should the governing body of the proposed host county file timely objections to the Department, the Department shall not approve the permit application, unless the Department determines the proposed facility complies with the appropriate environmental, public health and safety requirements and is in compliance with this paragraph.

In addition, the operative regulation, 25 Pa Code Section 273.139(b)(2)&(c) provides as follows:

- (2) If the proposed facility is not provided for in the approval host county
  - (i) A detailed explanation of whether the proposed facility will interfere with implementation of the approved plan.
  - (ii) A detailed explanation of whether the proposed facility will interfere with municipal waste collection, storage, transportation, processing or disposal in the host county.
  - (iii) A detailed response to objection, if any, filed by the governing body of the host county within 60 days of the written notice under section 504 of the act (35 P.S. Section 6018.504)

This correspondence constitutes written objections of the County in accordance with Section 507 of Act 101 and Section 504 of the Solid Waste Management Act. The Department is aware that Clearfield County's Municipal Waste Management Plan approved by the Department in January of 2013 does not provide for an additional facility in Boggs Township.

The Application must be disapproved under Section 507 of Act 101. As it did with the original application, the County renews its insistence with regard to the "new" application that permitting this facility will materially interfere with implementation of the County's Municipal Waste Plan and fails any reasonable criteria for site suitability.

The proposed facility is not a designated facility in Clearfield County's Plan. To the best of the County's knowledge and information, it is not a designated facility in any Pennsylvania County plan. PA Waste has never publicly identified the source of waste expected to be disposed at the proposed facility, the basis for the facility's expectation of a sustainable waste stream for disposal and/or whether the expected waste is a part of existing waste flow or will come from future increased waste generation. Required to set forth on Form D, Attachment D-13 of the new application, whether disposal waste at the proposed facility would be "inconsistent municipal, county, regional or state solid waste plans or laws in the areas where the waste is generated..." PA Waste responded that " ... the waste sources are not known at

this time." PA Waste goes on to beg the question by stating that its landfill " ... is not inconsistent with any existing solid waste plans since it will be located, designed and permitted in accordance with applicable local, state and federal regulations." Required to identify " ... the approved municipal, county, regional or state solid waste plans or laws that will be implemented by the proposed facility... " PA Waste again begs the question by stating that " ... the Camp Hope Run Landfill will request and become listed in the appropriate Solid Waste Management Plans and will accept and dispose of waste in compliance with these plans."

Site suitability is a permit requirement under Section 507 of Act 101. While the Environmental Hearing Board found that the Department cannot subject an application to operate a new landfill to a "suitability analysis" separate from the comprehensive environmental assessment, the Board confirmed the requirement:

The Department protests that Section 507(a) of Act 101 itself still requires an evaluation of relative suitability. This is undoubtedly true but Act 101 does not require a separate evaluation of suitability. 2010 EHB 874,884. (Emphasis added.)

Moreover, the Board confirmed the reasonableness of the requests and requirements of the Department with respect to its required site suitability analysis detailed in the Department's Technical Deficiency letter of April 12, 2007, including, inter alia, how the redirecting of waste to the new facility would improve waste reduction, recycling or other waste management programs. As PA Waste has not (or cannot) identify its waste sources, the application is devoid of support for PA Waste's burden.

In actuality, PA Waste's potential operation is so nebulous, conditional and undefined, or PA Waste is so resistant to identifying its expectable waste flow, that it is functionally blocked from addressing site suitability criteria.

The reality is that the proposed landfill is not as suitable as alternative sites designated in the County's Plan and its existence and operation would materially interfere with the County's Plan. Claiming additional waste capacity as a benefit is a demonstrable falsehood. Clearfield County has ample capacity as is confirmed by its approved 2012-2022 Plan. This is the case in the region as shown in the following chart of adjoining counties. To document the ample capacity in our region, Clearfield County asked surrounding counties for information regarding their county's secured disposal capacity. The following is the result of that survey:

County	Facilities for which County has Disposal Capacity Agreements	Date when such agreements terminate	Estimated Landfill Life Capacity
--------	--	-------------------------------------	----------------------------------

Elk	1. Greentree	2021	45 yrs. as of 2017
	2. McKean		30 yrs. as of 2017
	3. Wayne Twp. Landfill		40 yrs. as of 2017
	4. Tri-County		7
	5. Seneca		7
Cameron	1. Greentree (Elk County)	2021	45 yrs. as of 2017
Clinton	1. Wayne Township Landfill	Publicly Owned Facility	40 yrs. as of 2017
Clearfield	1. Greentree (Elk County)	2022	45 yrs. as of 2017
	2. Wayne Township Landfill		40 yrs. as of 2017
Centre	1. Greentree (Elk County)	2022	45 yrs. as of 2017
Blair	1. Sandy Run	2023	15 yrs. as of 2013
	2. Mostoller		9.6 yrs. as of 2013
	3. Laurel Highlands		132 yrs. as of 2017

In the years since PA Waste's first application was denied by the Department, the Commonwealth has continued to have excess capacity and decreasing revenue for resource recovery programs which has threatened, and in some cases, crippled recycling programs. Clearfield County's recycling program has faced extinction. Some life support was accomplished in the current Plan because the designated facilities were willing to offer voluntarily support.

Various authorities confirm the abundance of disposal capacity. In 2014, the Keep PA Beautiful Study concluded:

- Pennsylvania is rich with processing/disposal facilities. Finding a proper disposal site for the ultimate disposition of material generated within Pennsylvania is not a problem.
- Waste and recycling collection services are not equitably available to every residence in every municipality in Pennsylvania.

Keep PA Beautiful Study, Illegal Dumping in Pennsylvania; a Decade of Discovery (2014); See <http://www.keeppabeautiful.org/wp-content/uploads/2016/09/KPB-Recommendations-August-2014.pdf>

In the American Society of Civil Engineers (ASCE) 2014 Report Card for Pennsylvania, it was stated:

In addition, the State Grant Program established under Act 101, which had provided



\$46 million in FY 2004-2005 to initiate and sustain recycling programs, dropped to \$35 million for FY 2012-2013 in part due to the down turn in municipal landfill disposal throughout the Commonwealth. To make matters worse, there has been a drop in recycle commodity value as a result of the economic downturn and reduced exports overseas.

The combination of these factors has had a detrimental impact throughout the Commonwealth's county and municipal recycling programs. In 2012 and 2013, several Pennsylvania counties eliminated their recycling programs, shifting the burden of recycling costs fully on to the mandated municipalities and those who chose to provide recycling services voluntarily.

As part of their Solid Waste Plan, each County is required to document that sufficient permitted disposal capacity is available for all of the waste generated in Pennsylvania for the next ten (10) year period. Based on current county plans, it appears that sufficient capacity is currently available.

See <http://pareportcard.org/>

The combination of excess capacity, declining population, and declining revenue for resource recovery is already imperiling Clearfield County's recycling program. PA Waste's application does not address how or why adding capacity will help rather than hurt Clearfield County's efforts.

No more objective proof of the challenges can be presented than the testimony of Department Deputy Secretary George Hartenstein on June 13, 2017 to the Joint Legislative Conservation Committee on Act 101, a copy of which is attached to this letter. As Secretary Hartenstein testified:

- Every county has developed plans and has adequate disposal capacity for municipal waste generated within its boundaries.
- The \$2/ton recycling fee provided under Act 101 is set to sunset on January 1, 2020.
- Based on the current cost of living index, the \$2/ton fee established in 1988, adjusted for inflation, is currently worth \$.97/ton.
- Recycling revenue has decreased from \$47.1 million in 2003 to \$38 million in the last three years.
- Many rural counties have had to scale back or eliminate their recycling program including Susquehanna, Pike, Cambria, Perry, Carbon and Blair Counties.
- The keys to a successful integrated program are management of recycling and waste management as a single program.
- To be successful, the Commonwealth must renew its focus on waste reduction programs.

Moreover, the Deputy Secretary's testimony predates the Legislature's present attempts to draw on environmental funds for short term budget balancing with expectable long-term

effects.

It is respectfully submitted that PA Waste's, "if we build it, they will come" approach is antithetical to Act 101 and the Department's efforts to sponsor integrated waste management, which is precisely what Clearfield County accomplished with its present Plan. The Department has acknowledged that what Clearfield County attempted with its current Plan was innovative. The County and the Department stood together in defending Waste Management's legal challenge to the Plan. See, e.g. Testimony of Lawrence Holley, Environmental Program Manager, Bureau of Waste Management, Pennsylvania Department of Environmental Protection (attached). The County contends that it begs credulity to suggest that a start up venture capital entity like PA Waste will compare favorably with existing facilities. Moreover, construction and operation of the facility in the face of the region's excess capacity will most certainly result in regressive pressure on present disposal and recycling in the County and region.

A review of 25 Pa Code Section 273.139(2) demonstrates that the burden is on PA Waste to prove and provide a detailed explanation of why the proposed facility would not interfere with the County's Plan and/or will not interfere with municipal waste collection and disposal in the County, and why Clearfield County's objections on need and site suitability must be rejected. To the contrary, PA Waste's inability or refusal to address any reasonable site suitability criteria requires disapproval. The Application wholly fails on its face to overcome the increased scrutiny required by Section 507 of Act 101. It should not be ignored that PA Waste has no prior history managing a waste disposal facility or operating a recycling program.

At the LMIP meeting, Clearfield County presented PA Waste a series of written questions including:

3. What are your expected sources of waste and proposed facilities (by county or out-of- state, then by that state and the specific county or counties)?

At the LMIP meeting, PA Waste promised a prompt review and responses. To date, Clearfield County has received no responses to its questions. Therefore, to the best of Clearfield County's knowledge and information, PA Waste either has no expectable waste sources or continues to resist providing this information. This impacts the Department's harms/benefits analysis, as well as suitability analysis under Section 507 of Act 101. Act 101 and the Department's regulations recognize that taking waste from other permitted facilities is a harm, not a benefit. PA Waste claims in its application that it will provide recycling on site. However, this is a service that can be withdrawn at any time.

Syphoning off waste from another permitted landfill provides no benefit in terms of host and state fees as they are already being paid elsewhere. Taking waste from another part of Pennsylvania does not increase state recycling fees/or host fees. Economic impacts to recycling/resource reduction programs mean lost recycling/resource reduction jobs which likely will not be replaced by new jobs at the proposed facility. As the June 2017 report of the Pennsylvania Recycling Market Center found, for every direct job in the recycling industry, an additional 1.7 jobs are created in Pennsylvania. See [http://www.pennrmc.org/wp-content/uploads/2017/06/RMC\\_PAREcyclingMarketplaceAnalysis.pdf](http://www.pennrmc.org/wp-content/uploads/2017/06/RMC_PAREcyclingMarketplaceAnalysis.pdf)

In conclusion, Clearfield County, being the host county, strongly disapproves of the permitting of PA Waste's proposed facility because it will adversely affect the County's integrated waste management efforts. The Department's scope and criteria for review of PA Waste's Phase I application - specifically the Department's environmental assessment - will signify whether the letter and spirit of Act 101 remains or whether the region shall return to an open, unrestricted market for waste disposal.

**Response:** As to the sources of waste, due to laws that limit the regulation of interstate commerce, the DEP does not have authority to prevent out-of-state waste from being disposed at the landfill. The permit explicitly states that PA Waste may not interfere with the County Plan and as such, may not accept waste for disposal from within the county. Recycling is part of the county plan; however, that does not prohibit another recycling facility within the county. The regulations require waste facilities to provide publicly accessible recycling.

113. **Comment:** Letter dated July 30, 2018. The following comments are presented to the Department of Environmental Protection ("DEP" or "Department") by the Clearfield County Commissioners with respect to the Application/Permit #101719 submitted on June 30, 2017 by PA Waste LLC for a new municipal solid waste landfill proposed to be located in Boggs Township, Clearfield County, to be known as the Camp Hope Run Landfill ("Landfill").

Comment No. 1:

In its letter dated September 21, 2017 to Lisa Houser, P.E., the County timely filed by authority of Section 504 of the Solid Waste Management Act, 35 P.S. §6018.504, application objections of the host county to the permit application. These objections and the supporting information contained therein are restated and incorporated in these written comments by reference. 25 Pa. Code §273.139 (b)(2)(iii) requires DEP to provide a detailed response to objections filed by governing body of the host county, and 25 Pa. Code §271.142 (a)(4) requires DEP to publish a notice in the Pennsylvania Bulletin describing its justification for overriding Section 504 county objections. Neither requirement was met prior to the Environmental Assessment.

Q1. Did DEP review and reject the County's September 21, 2017 Section 504 objections as part of its Environmental Assessment Analysis?

Q2. What steps has DEP taken to satisfy these regulatory requirements?

Q3. If none, does DEP plan to comply, and if so, when?

Q4. If not, what is the legal basis upon which DEP justifies noncompliance?

Comment No. 2:

The Landfill is not provided for in Clearfield County's Solid Waste Plan. Section

507(a)(2)(iii) of Act 101 prohibits the Department from issuing any permit, or any permit that results in additional capacity, for a municipal waste landfill under the Solid Waste Management Act in a county unless the Applicant demonstrates to DEP's satisfaction that the Landfill, if not provided for in the county plan:

- will not interfere with the implementation of the approved county plan;
- will not interfere with municipal waste collection, storage, transportation, processing or disposal in the host county; and
- that the proposed location of the facility is at least as suitable as alternative locations giving consideration to environmental and economic factors.

Although the Environmental Hearing Board ("EHB") previously overturned the Department's denial of a prior permit application for this Landfill, it did not reject DEP's substantive analysis on site suitability supporting the rejection. To the contrary, that decision rested solely on the finding that the Department had relied on a revised regulation eliminating "suitability analysis" as a stand-alone requirement (Adjudication at Page 10) and that " ... Act 101 and the implementing regulations do not provide for a separate evaluation of suitability beyond any suitability assessment conducted as a part of the phase I Environmental Assessment." Adjudication: Conclusion of Law No. 5..

The County strongly contends that what the Department set forth in its May 3, 2018 Environmental Assessment Analysis fails to satisfy the statutory and regulatory requirements. Moreover, the Department's conclusion on this issue is contrary to its analysis and findings on the prior permit supporting its rejection of that permit.

As the EHB found in its November 19, 2010 adjudication, PA Waste bears the burden of proof on site suitability. As the County's correspondence dated August 29, 2017 to Lisa Houser, Environmental Engineer Manager amply documented, the information set forth in PA Waste's Application and/or otherwise publicly available, completely fails to satisfy PA Waste's burden under Section 507(a) of Act 101. That correspondence, as well as the County's Application Objections dated September 18, 2017 are incorporated herein by reference.

Aside from PA Waste's failure in its Application or otherwise to address and sustain its burden, the Department's May 3, 2018 Environmental Assessment Analysis is conclusory and provides no basis for analyzing why the Department's suitability analysis produced a different conclusion on its permit than the first, let alone how the Application and information provided by PA Waste meets the requirements of Section 507 or why DEP rejects the conclusions of the County that granting the permit will substantially interfere with the County's Plan. On Page 3 of its Environmental Assessment, DEP merely states that information has been submitted and evaluated and that the Applicant contends that the facility cannot interfere with the County Plan because it is not a part of the Plan.

Comment No. 3:

On Page 15 of the Environmental Assessment Analysis, under "Evaluation of Need" the Department states that the source of the waste to be disposed of at the Landfill remains unknown.

- Q1. What information, other than what is contained in the Application or otherwise available to the County, was submitted to DEP by PA Waste and was considered in its suitability analysis?
- Q2. What economic and environmental factors were considered as a part of DEP's site suitability analysis?
- Q3. Does DEP contend that site suitability can be adequately evaluated if the source of waste is not known?
- Q4. If so, what is the legal basis, i.e., statute, regulation or Guidance Document relied on by DEP?

At the July 23, 2018 public hearing on the PA Waste application, when asked by member of the public where the waste for the proposed CHR Landfill would originate, Robert Rovner could be heard replying "Bucks County". However, it appears that the Bucks County Recycling Coordinator has never heard of PA Waste, LLC. Bucks County is currently in the ratification process of its county plan update. Bucks County confirmed that no municipal waste generated within Bucks County is proposed for receipt at Camp Hope Run Landfill. Rather the Bucks County Plan will include Wheelabrator's waste to energy facility and Waste Management's Fairless Landfill, both located in Bucks County.

- Q1. Has DEP been made aware by PA Waste, either officially or unofficially, that any contracts have been signed with any entity in Bucks County to deposit waste in the proposed Camp Hope Run Landfill?

Comment No. 4:

In a previous penned denial letter, DEP had emphasized the importance of site suitability and stated that DEP interpreted Section 507 of Act 101 as requiring an applicant to identify the source and quantity of waste expected to be disposed of at the facility and identify the current disposal location of the expected waste. DEP stated that the Applicant had not shown that redirecting waste from existing landfills to this Landfill would be more cost effective.

- Q1. Has PA Waste submitted information that shows that redirecting waste from existing landfills to this Landfill would be more cost effective, and if so is that information available for public review?

Q2. If not, has DEP changed its interpretation of Section 507 such that this information is no longer required?

Comment No. 5:

Excess landfill capacity and load disposal costs at present are damaging Pennsylvania's waste reduction and environmental goals. Limiting the Department's review of environmental factors to concern when evaluating need and site suitability goes against the Department's own information. The County already has more than adequate capacity secured for the next 10 years. In addition, the disposal facilities included in the most recent approved County Plan update will be able to provide the County additional capacity into the foreseeable future (30-50+ years) when the current contracts expire due to their ability to reasonably expand their facilities.

The Department itself has documented that since 2006, the annual quantity of municipal waste from Pennsylvania that is managed at Pennsylvania landfills and resource recovery facilities has decreased from 10.3 million tons to 9.0 million tons in 2011. The per capita disposal of municipal waste in Pennsylvania decreased from 4.53 pounds per person per day to 2.386 pounds per person per day in 2011 and out of state waste decreased from 9.2 million tons per year to 6.6 million tons per year in 2011. If there was excessive capacity based on the volume of waste generated annually in 2006 (Bureau of Waste Management's "Waste Future's Project" - September 2006), clearly that capacity has since significantly increased since the annual volume of waste disposed has significantly decreased. This further justifies that another landfill is not needed.

Over capacity creates lower tipping fees, which on the surface sounds beneficial; however, as tipping fees decrease, recycling will suffer. Since rural areas further away from markets, the cost to recycle sometimes is greater than direct disposal in landfills. The decrease in tipping fees only creates a higher disparity between the two, making recycling less attractive economically. The Bureau of Waste Management's 2006 "Municipal Waste Futures" Report substantiate this claim.

The County's Solid Waste Authority can attest to these findings. Permitting additional waste capacity will only lower tipping fees and further degrade the value of the County's waste minimization efforts.

At the July 23, 2018 Public Hearing held in Clearfield, PA Waste representatives testified, and passed out information in written form, that suggests a different story with respect to landfill capacity in Pennsylvania. In suggesting that there is a pending disposal capacity crisis and citing as support a PWIA study claiming only a few years of disposal capacity remains in the state, PA Waste is offering misleading information, since both the waste industry and the Department have knowledge contrary to such claims.

Every permitted landfill in the state is required to submit to the Department an annual municipal waste landfill annual operation report form. This form documents annually the cubic yards of permitted and unused airspace remaining at existing landfills including an estimate of the remaining life of the landfill in terms of years. The 2011 annual report submitted by Advanced Disposal's Greentree Landfill documents remaining life of their landfill to be 43.2 years. For example, a landfill may be permitted to take up to 5,000 tons a day, however the industry and Department understand that is a maximum amount. Typically, the actual daily tonnage is much lower, which then extends the projected life of the landfill significantly.

The Department itself has provided public reports and testimony as to the existence of excess disposal capacity in the Commonwealth. County solid waste management plans, required by Act 101, must document existing and future capacity which could be made available through the reasonable expansion of the facilities, per 25 Pa. Code § 272.224. The Department should be referring to these landfill annual operations reports and county plans to closely track available disposal capacity across the state. If so, then the Department is already aware that the claims made by PA Waste are very misleading and are likely meant only to serve their self-interest in attempting to justify need and to garner support for their permit.

Comment No. 6:

With respect to the determination by DEP that the benefits of the proposed project outweigh the known or potential harms, on page 13 of the Environmental Assessment Analysis, the Department states that the \$2.00 per ton Host Fee to be paid to Boggs Township pursuant to a 2004 Host Municipality Agreement ("Host Agreement") is an economic benefit, because the fee is greater than the \$1.00 per ton fee required by Act 101. However, the County believes that the Host Agreement with Boggs Township is null and void for several reasons.

First, Paragraph 1.(b.) of the Host Agreement states that the agreement will be void and of no further effect if PA Waste is unable to secure any required permit or permits. In the 14 years since this agreement was executed, PA Waste's permit application has been denied twice, rendering PA Waste unable to secure a permit. In addition, without providing a time frame by which PA Waste must secure these permits, the Host Agreement is essentially perpetual, making it void as a matter of law and public policy.

Secondly, the Host Agreement terminated by its own terms pursuant to Paragraph 8 of the Agreement, which provides that the Agreement terminates when PA Waste abandons the project. This occurred on April 14, 2016, when PA Waste withdrew its appeal of the Department's previous denial of the application for CHR Landfill, and the EHB dismissed the appeal.

Finally, the Host Agreement was fraudulently obtained by PA Waste. The first paragraph in the "Background" section of the Agreement states that PA Waste plans to construct and operate the CHR Landfill. However, in a sworn complaint in the case of *Dilibero et al. v. PA Waste et al.*, Court of Common Pleas, Philadelphia County, Civil Action No. 3852, March Term 2014, on October 28, 2003, filed by one of PA Waste's principals Ramsay DiLibero, it is stated that "PA Waste was formed as a manager-managed limited liability company to acquire the land and the necessary permitting for a municipal waste management facility in Pennsylvania for sale on the open market." (Complaint (attached) at Paragraph 15) (emphasis added). Therefore, it is clear that PA Waste fraudulently induced Boggs Township into executing the Agreement by giving the impression that PA Waste would operate the facility after it was permitted, when the intent all along, dating back to the formation of the company in 2003, was to sell the permit once acquired.

Therefore, the Host Agreement is void and any benefit attributed to the \$2.00 per ton fee is invalid. The Environmental Assessment should be re-evaluated accordingly.

Comment No. 7:

On page 13 of the Environmental Assessment Analysis, DEP considers the \$2.00 per ton recycling fee required under Act 101 to be a financial benefit. DEP has determined that during the projected years of the operation of the Landfill, PA Waste will pay an estimated \$54,000,000 into the recycling fund. The County has several questions and concerns about this determination:

Q1. Did PA Waste provide information about the source of the waste proposed for disposal at the Landfill and whether such waste is a new source or existing source? If the waste to be disposed of at the Landfill is waste that is currently disposed elsewhere in Pennsylvania, then this \$2.00 per ton recycling fee is not a benefit because that fee is already being paid on the same waste being disposed at another location.

Q2. Because the recycling fee is required by law, is it truly a benefit? The Environmental Assessment Analysis suggests that anything required by law is not a benefit, such as the \$1.00 per ton required to be paid to the Township by Act 101. The Department was only valuing the additional \$1.00 per ton under the invalid Host Agreement. Therefore, the same rationale should be afforded the statutorily required fees.

Comment No. 8:

On page 13-14 of the Environmental Assessment Analysis, DEP states that the Environmental Stewardship and Watershed Protection Act would require the Landfill to pay \$.25 per ton as an environmental stewardship fee to the Commonwealth. The County has the following questions and comments about this alleged benefit:



Q1. Did PA Waste provide information about the source of the waste proposed for disposal at the Landfill, and whether such waste is a new source or existing source? If the waste to be disposed of at the Landfill is waste that is currently disposed elsewhere in Pennsylvania, then this \$.25 per ton environmental stewardship fee is not a benefit because that fee is already being paid on the same waste being disposed at another location.

Q2. Because the stewardship fee is required by law, is it truly a benefit? The Environmental Assessment Analysis suggests that anything required by law is not a benefit, such as the \$1.00 per ton required to be paid to the Township by Act 101. The Department was only valuing the additional \$1.00 per ton under the invalid Host Agreement. Therefore, the same rationale should be afforded the statutorily required fees.

Comment No. 9:

On page 14 of the Environmental Assessment Analysis; DEP considers a \$4.00 per ton fee required by Act 90 to be a financial benefit.

Q1. . Did PA Waste provide information about the source of the waste proposed for disposal at the Landfill, and whether such waste is a new source or existing source? If the waste to be disposed of at the Landfill is waste that is currently disposed elsewhere in Pennsylvania, then the Act 90 fee is not a benefit because that fee is already being paid on the same waste being disposed at another location.

Q2. Because the Act 90 fee is required by law, is it truly a benefit? The Environmental Assessment Analysis suggests that anything required by law is not a benefit, such as the \$1.00 per ton required to be paid to the Township by Act 101. The Department was only valuing the additional \$1.00 per ton under the invalid Host Agreement. Therefore, the same rationale should be afforded the statutorily required fees.

Comment No. 10:

The financial benefits are extremely speculative. For instance, Fox Township is paid a \$1.00 per ton host fee for the Greentree Landfill in Elk County. Total waste disposed in Greentree in 2007 was 1,098,787 tons, versus 379,401 tons in 2016. At \$1.00 per ton host fee for Fox Township, that is \$6,500,000 in lost host fees over 9 years. Therefore, it appears that these funds and the anticipated financial benefit are purely speculative. The Environmental Assessment Analysis assumes that the facility will get the maximum amount of waste under that permit, but clearly that is a misguided assumption. The Environmental Assessment should be re-evaluated accordingly.

Comment No. 11:

The Landfill application proposes to accept 5,000 tons per day for 21 years. Excluding 52 Sundays per year, that is a total of 6,573 disposal days over the 21 year permit term. At 5,000 tons per day, the total waste proposed to be disposed of at the Landfill is 32,865,000 tons of municipal waste.

If the Landfill does not take the proposed 5,000 tons per day for the proposed 21-year lifespan, that would likely lead to an extension of the permit term beyond the initial 21 years since the Landfill would not be full. In that case, the harms associated with the project would continue, but the benefits, particularly the benefits based upon fees paid per ton disposed, would not increase. As such, the financial benefits are not only overstated and illusory, but the harms are not extrapolated out to cover this virtual certainty. The Environmental Assessment should be re-evaluated accordingly.

Comment No.12:

According to an April 17, 2007 Hydrogeologic Observation Study performed by Dr. Richard R. Parizek, which was provided to DEP in 2007, there are potential harms associated with this site geologically and from a ground water standpoint. Some of the key findings are:

- i. During their extensive study of the Kauffman site, Callaghan, et al. (1998) identified anomalies in groundwater flow patterns that may be caused by "significant fracturing of the rock mass". The well clusters which produced the anomalous data were located within the footprint of the proposed waste disposal area.
- ii. Callaghan, et al. (1998) characterizes the Kauffman site as a groundwater recharge area. Groundwater flow is primarily fracture controlled, and significant vertical leakage from shallow aquifers to deeper aquifers was documented.
- iii. Dr. Parizek identified in the County's Water Supply Plan (2007) the Burgoon Sandstone aquifer as an important regional aquifer that could be capable of providing a vital source of high-quality groundwater for the residents of Clearfield County. The Burgoon is mapped by outcropping within the boundaries of the proposed landfill. The presence of this important aquifer coupled with the vertical fractured controlled groundwater flow regimes and high potential for fractured bedrock in the proposed disposal area is of the utmost concern to the County.
- iv. The complexity of the groundwater flow at the site, which includes a known fault, will greatly complicate any monitoring well network. The potential for an undetected liner leak to contaminate the Burgoon Sandstone Aquifer negates

any monetary benefit by the proposed landfill.

Q1. Was the April 17, 2007 Hydrogeologic Observation Study performed by Dr. Richard R. Parizek analyzed and considered by the Department?

Comment No. 13:

The proposed landfill location has a: geological fault running through the property that was shown on application drawings but not highlighted as an issue by either PA Waste or DEP, and thus does not meet the requirements of 25 Pa. Code §273.115. According to the 1968 E.W. Edmunds Pennsylvania Geological Survey map "Geological and Mineral Resource of the Northern half of the Houtzdale 15-minute Quadrangle," this active fault is a direct conduit to the Burgoon sandstone formation that is a major aquifer for a large portion of this Clearfield County region (refer to the Dr. Richard Parizek report). Geotextile liners will eventually leak, a fact that DEP acknowledges and has provided allowable leakage rates. Once the leaking begins, this site supplies a direct conduit to the Burgoon aquifer by means of the adjacent fault. The U.S. Environmental Protection Agency places significant restrictions on landfills being built on or near faults. See 40 CFR Part 258.13.

Q1. Did DEP analyze and apply 40 CFR Part 258.13 or consult with EPA in its technical review of this application?

Comment No. 14:

Directly underneath the proposed disposal area of the landfill is a former clay mine, which is acknowledged on the application drawings. This is not a shaft mine hundreds of feet below the surface, but rather a drift mine which is located only 75-100 feet below the liners. The clay mine was active for approximately 8-9 years with the entrance located approximately 600 feet west of the property line with a main heading in an easterly direction under the proposed landfill. Today the mine car rails, bucket line foundations and the powder magazine building are still present, and acid mine drainage is flowing out of the heading. The site also has significant acidic rock which will have to be buried within the liner. This stone removal for the coal recovery will encroach on an already compromised ceiling within the mine.

Q1. Has DEP considered the existence of the mining operation, requested PA Waste to more specifically identify its location through electromagnetic testing, or otherwise considered this mine as a risk?

Comment/Question No. 15:

Did DEP consider the potential recreation and economic impacts associated with part of the proposed truck route being a scenic byway?

Comment No. 16:

The proposed landfill is inconsistent with the objectives of Clearfield County's Comprehensive Plan and with the tourism development objectives set forth by local elected, and state officials for the PA Wilds region.

Clearfield County took great strides in using multiple venues in which to gather as much public input as possible to create the County's 2006 Comprehensive plan update. The vision statements, goals & objectives and identified desired versus undesired types of development were all based on extensive feedback from County residents, community leaders, business leaders and municipal officials.

Our residents, community/business leaders and local municipal officials have indicated that their vision for the County's future entails one where economic development would be consistent with the preservation of our residents' quality of life, compatible with the state, regional and local nature & heritage tourism initiatives, respectful of our environment and would not undermine the vast progress that has occurred over the past few decades in remediating our lands and waterways. Both our municipal officials and residents specifically identified landfills as a type of development that would be inconsistent with this vision.

When reviewing the County's "vision statements," it is clear that the protection of abundant natural, recreational and historical resources is a top priority, as is the development of a tourism industry; one that sustains these resources while generating local economic opportunities. After years of dealing with the environmental consequences of a once extensive resource extraction industry, a strong environmental ethic has since resonated through the County. This is evident by the extensive development of watershed associations and millions of dollars invested in acid mine remediation efforts which have occurred throughout the County.

Residents strongly voiced their opinions that our rural lifestyle, which offers a high quality of life, was to be protected and sustained. Retaining our community's unique rural character and building upon our rich history would assist in building vibrant, attractive communities, thus setting the tone for an attractive designation for new residents and visitors.

Several years ago, leaders from our rural Pennsylvania counties joined forces with the state to form a unique partnership called the Pennsylvania Wilds Initiative. Urged on by strong leadership and unprecedented financial support from the Commonwealth, the idea was to work with state officials, federal agencies, small businesses, local citizens, and nonprofit organizations to grow the region's emerging nature tourism industry. We aimed to revitalize our communities, create lasting economic opportunities, and improve quality of life.

Once scarred by aggressive logging and decades of other high impact uses, a century of reforestation and conservation had healed the region and opened it to new opportunities. Together, our counties boasted unparalleled natural beauty, as much public land as Yellowstone, diverse and robust wildlife, and a rich oil and lumber heritage that visitors found fascinating. Fifty million people lived within a day's drive of us.

Since launching the Initiative in 2003, the Commonwealth has remained committed to its growth and success. The state's leadership and financial investments have made a tremendous impact on the region. The Pennsylvania Department of Conservation and Natural Resources has led the charge with major infrastructure and programming investments in the 29 state parks and eight state forests within our borders. As of 2010, DCNR has invested more than \$126 million building new destination facilities, and upgrading trails, restrooms, signage and facilities at its parks and forests in the region.

Two major studies show Pennsylvania Wilds effort resulted in investments and increases in tourism. The first report, completed in 2009 by the Econsult Corporation and Wharton GeoSpatial Initiative, shows that, while young, the Pennsylvania Wilds initiative has had a successful first few years. Econsult's economic analysis found that the Pennsylvania Wilds initiative helped to grow the region's economy and helped increase the number of tourism-related jobs and number of visitors to state parks at a higher rate than the state as a whole. In particular, the study found that during this timeframe, the region attracted 1.8 million more visitors and grew its estimated gross domestic product by \$130 million. Econsult also reported that earnings for those in the tourism industry increased \$75 million from 2002-2006. The report noted that at a time and place in which demographics and economics would seem to suggest stagnation, tourism-driven economic growth in the Pennsylvania Wilds region has been a bright spot.

After years of being plagued by high unemployment numbers and bleak economic forecasts, this unique opportunity for tourism development is a much-needed reprieve, offering a brighter economic future for Clearfield County.

Our area's natural beauty, abundant open space and quaint downtown's are essential to our success. The negative attributes associated with trash trucks such as excessive speeding, odorous and sometime leaching loads of trash, and noxious exhaust fumes at a rate of 500 truck trips per day, is clearly not consistent with the objectives of Clearfield County's Comprehensive Plan nor with the tourism development objectives set forth by our local elected and state officials for the PA Wilds region.

**Response:** The DEP appreciates and acknowledges this comment. The current application was reviewed for compliance with all applicable state environmental laws, regulations, and policies, including the Solid Waste Management Act. The Environmental Assessment dictates the criteria that must be reviewed by the Department which includes

the geology of the site, scenic rivers, parks water uses among other things. The seismic stability of the site was evaluated. There are no designated Pennsylvania Scenic Rivers or National Wild and Scenic Rivers in the area. The site is over one mile from National, State, County and Municipal parks, state forest picnic areas, the Allegheny River reservoir, the Appalachian Trail, National natural landmark U.S National Park Service, and wild areas designated by the Department of Conservation and Natural Resources.

The site suitability test used by the DEP when the permit was first denied in 2010 included an analysis of the sources of waste expected to be disposed at the facility and an examination of alternative disposal facilities. This criterion was deleted from the regulations and the Environmental Hearing Board pointed out that the change in the regulations eliminated the use of a separate siting analysis, and that the Department was wrong in applying the substantive criteria of a repealed regulation. The site suitability test as required by the Act was conducted by the DEP. The criterion used was the same as is dictated by the harms/benefit analysis and compared the site to other landfill sites in Pennsylvania.

The permit explicitly states in the conditions that PA Waste may not interfere with the County Plan and as such, may not accept waste for disposal from within the county or otherwise interfere with the County Plan. The DEP has added a condition to address this in the permit. (The facility will not accept municipal waste from within Clearfield County unless the County Plan is modified. The facility shall not interfere with municipal waste collection, storage, transportation, processing or disposal in Clearfield County per the Municipal Waste Planning, Recycling and Waste Reduction Act § 507 (a)(2)(ii).)

The regulations do not require that the applicant produce waste contracts or provide justification of its waste stream. Nor do the regulations require an applicant prove need. The permit requires that the landfill be constructed in accordance with the state's environmental laws and all permit conditions within 5 years.

The Host Agreement as submitted to the DEP in the application has not been disputed, nor has the Township ever indicated to us that it has been voided.