

November 28, 2018

CERTIFIED MAIL NO. 7018 1130 0001 4475 5540

Carl Spadaro – Environmental General Manager
MAX Environmental Technologies, Inc.
Foster Plaza #5
651 Holiday Drive
Pittsburgh, PA 15220

Re: Pre-application Meeting and Site Visit Summary
Proposed Hazardous Waste Landfill #7
Max Environmental Technologies, Inc. Yukon Facility
South Huntingdon Township
Westmoreland County
I.D. No. PAD004835146

Dear Mr. Spadaro:

On November 13, 2018 a pre-application meeting, followed by a site visit, was held to discuss the siting of the above referenced proposed facility. The meeting is an initial step in the hazardous waste permitting process described in the Department of Environmental Protection (DEP)'s Guidance Manual for Permitting of Commercial Hazardous Waste Treatment and Disposal Facilities, which precedes the formal permitting application process and provides an opportunity for project familiarization, exchange of information, and possible prevention of potential future problems with the proposed siting.

The meeting was held in the Yukon Volunteer Fire Company Fire Hall located at 124 Highway Street, Yukon, PA 15698. Participants to the meeting included representatives from Max Environmental Technologies, Inc. (MAX) (The prospective applicant), Civil Environmental Consultants, Inc. (MAX's consultant), EHS Infolink (MAX's Public Outreach), Department of Environmental Protection (DEP)'s Siting Team (Pittsburgh Regional and Central Offices), and South Huntingdon Township. Consistent with the Department's Guidance Manual described above, this letter summarizes the meeting.

Copies of the following reference materials were distributed during the meeting: MAX's PowerPoint presentation handouts, MAX's August 2018 Fact Sheet for Proposed Landfill 7, MAX's Summer 2018 Newsletter, and MAX's Public Participation Summary sheet. Civil and Environmental Consultants, Inc. (CEC) made a brief presentation regarding MAX's evaluation of the exclusionary siting criteria and provided a summary of the hazardous waste permitting process. EHS Infolink presented information regarding future meetings, key contacts and public participation. CEC and MAX responded to questions on MAX's proposed facility and applicable exclusionary siting criteria as it relates to MAX's proposal and the pre-application materials submitted by CEC on behalf of MAX on September 2018. The pre-application materials, which

DEP deemed adequate to conduct the pre-application meeting, consist of a brief narrative along with preliminary Phase 1 exclusionary siting criteria and hydrologic/geologic information. A site visit was held by MAX following the meeting at around 11:30 a.m. Most of the meeting attendees also toured the site.

The main comments and concerns regarding the September 2018 preliminary information submitted by CEC on behalf of MAX and the November 13, 2018 pre-application meeting and site visit, are summarized below for MAX's consideration in preparing a complete Phase 1 Exclusionary Siting Application consistent with DEP's Guidance Manual.

MAX's pre-application materials included some Phase 1 siting documentation. The Department notes that this material appears to be preliminary and assumes that additional specific information is being developed for the Phase 1 submission. From an initial cursory review of the draft Phase 1 information and the site walk through, the Department has the following concerns:

1. The actual property boundaries should be properly surveyed and shown in the Phase 1 Exclusionary Siting Criteria application.
2. It was indicated during the November 13, 2018 presentation that MAX intends to submit a major modification to the existing hazardous waste permit ID. No. PAD004835146 for the proposed new hazardous waste landfill No. 7. Kindly, note that the designated facility site boundaries should then be revised accordingly- that is, the expansion of the permit boundary would be contiguous.

Further note that the entire area to be used for any hazardous waste management activity related to the proposed new hazardous waste landfill #7, as well as a suitable 50-foot buffer area, should be included within the designated facility site boundaries. Areas to be included within the designated facility site boundary include but are not limited to truck parking and staging areas, truck washing facilities and scales, etc.

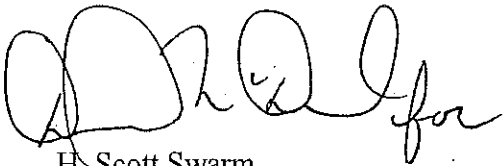
3. MAX indicated in the meeting that the haul road from the existing permit to the new permit area would be exempt from siting because it is an access road and therefore exempt. As laid out, the access road is at the current entrance to the facility (at the scale house). Therefore, as noted previously, the permit area as defined is not correct and should include the area between the current permit area and the expanded permit area as well as all areas affected by the operations, including haul roads.
4. MAX indicated that the Phase 1 assessment relied mainly on review of information from public sources and Agency correspondence. A formal Phase 1 Exclusionary Siting Criteria Application requires information in addition to that obtained by public sources and must be fully inclusive to include all necessary, suitable and complete information for the project site, including but not limited the following, supporting that the applicable exclusionary siting criteria will be satisfied:
 - a. Supplementary onsite and off-site surveys to determine compliance with siting criteria. These surveys should determine conclusively whether there are additional

- water supplies that may not be included in the PAGWIS database and the DEP eMapPA tool;
- b. A formal FEMA determination and associated information regarding the Letter of Map Amendment (LOMA) request on the effective 100-year floodplain presented in the pre-application submittal;
 - c. Supplementary information regarding any areas that the flood of record has inundated.
 - d. Supplemental information regarding the mineral rights located beneath the proposed facility site.
 - e. Potential wetland areas were observed during an inspection conducted on November 27, 2018. Therefore, a supplementary wetlands investigation should be conducted to determine conclusively whether the pertinent wetlands criterion will be satisfied. These investigations shall be performed by a skilled and trained biologist and be consistent with the most current version of the U.S. Army Corp of Engineer guidelines. Ideally these investigations should take place during the growing season and utilize Chapter 5 of the appropriate US Army Corps of Engineers Wetland Delineation Regional Supplement for Difficult Wetland Situations.
 - f. The presence of agricultural areas identified in 25 Pa Code 269a.28 should be further investigated. Along these lines, additional input from the Westmoreland County Conservation District and the National Resource Conservation Service should be further considered.
 - g. Boring logs provided indicate the presence of multiple fractured zones within the bedrock that underlies the proposed site. A discussion regarding how fractured bedrock will influence groundwater should be included.

As discussed during the November 13, 2018 pre-application meeting, the Department strongly advises MAX to conduct further public outreach for enhanced public awareness regarding the proposed new hazardous waste operations prior to submission of the Phase 1 Exclusionary Siting Criteria Application. Kindly, note that four (4) original hardcopies and one (1) electronic/digital copy of the Phase 1 Exclusionary Siting Application should be submitted to the attention of DEP's Siting Team Leader.

We intend to maintain an open and meaningful dialogue with MAX, CEC, the township, county, and all interested parties. We urge and expect MAX to maintain the same type of open channels of communication. If you have any questions please me at 412.442.4343 or by email at hswarm@pa.gov.

Sincerely,



H. Scott Swarm
Environmental Program Manager &
Siting Team Leader
Bureau of Waste Management

cc: South Huntingdon Township
Westmoreland County Department of Planning & Development
T. Mitchell, P.E. – CEC
S. Kinslow – EPA Region III
Region
Chron
T. Mellott – Central – Waste Management
G. Mitzel – Central – Waste Management
V. Tran – Central – Waste Management
W. Cumings – Central – Office of Chief Counsel
S. Swarm
D. McDaniel
O. Vazquez
M. Tomei
E. Stokan
B. Schimmel
L. Fraley