

February 8, 2022

Mr. David Pannucci, Region Engineer
Bethlehem Landfill Company
via email: david.pannucci@wasteconnections.com

Re: Second Environmental Assessment Review
Bethlehem Landfill
Municipal Waste Major Permit Modification Application – Northern Realignment
Application# 100020-A203
APS ID# 1033510, AUTH ID# 1345418
Lower Saucon Township, Northampton County

Dear Mr. Pannucci:

On December 23, 2020, the Department of Environmental Protection (DEP) received an application for a major modification application for Bethlehem Landfill Company's (BLC) Northern Realignment project. The proposed expansion is entirely within the footprint of the previously permitted property line and facility limits. The project involves overtopping existing waste in portions of the old landfill and overtopping of existing waste in the western portions of the Southeastern Realignment and Phase III portions of the landfill. The project also involves placement of waste in landfill support areas which have not previously had waste placed. A Local Municipality Involvement Process meeting was held via WebEx on February 17, 2021. The application was found to be complete and officially accepted on March 10, 2021. On September 24, 2021, DEP issued a first Environmental Assessment review letter. BLC's response to this letter was received by DEP on November 9, 2021.

The following comments are the result of DEP's second Environmental Assessment review of the application. These comments only relate to those items for which DEP is requesting more information or clarifying our position. This letter is not a final determination on any of the items identified in the Environmental Assessment review.

Deficiencies

Form D Section N Benefits and Harms:

1. The footnotes on the last page of the Nuisance Minimization and Control Plan (NMCP) still refer to the facility as "IESI" and should be changed to "Bethlehem Landfill Company."
2. Due to an uptick in recent odor complaints, correspondence received by DEP from Lower Saucon Township regarding concerns about odors, observations during DEP inspections conducted since the Department's first EA letter was sent on September 24, 2021, recent landfill gas surface emission monitoring results, and BLC's failure to complete geosynthetic capping projects in a timely manner DEP believes BLC should implement additional mitigation measures to prevent off site odors. Specifically, BLC should propose a plan for enhanced surface monitoring to be conducted in areas of intermediate cover and re-evaluate the current final and temporary capping schedules as proposed.

3. DEP requests BLC revise the NMCP to specifically add the language that BLC does not use the tipper during wind events with a sustained rate of 35 mph or more on the NMCP table.
4. Multiple storms in the recent past have caused sedimentation basin 4 to overflow. Inspections and inquiries by DEP staff have revealed the basins are not cleaned out regularly per the approved Form I Inspection Frequency and Maintenance plan. In addition, BLC committed to completing the clean out of sedimentation basin number 4 in a timely manner in the Fall of 2020. To date, sedimentation basin 4 has yet to be properly cleaned out. BLC should update Form I Table I-2 to include more detailed maintenance, inspection, and recordkeeping procedures. These procedures should comply with 25 Pa. Code § 102.4(b)(5)(x) and the Pennsylvania Stormwater Best Management Practices Manual Chapter 6. BLC should also identify the staff/positions that will ensure the procedures are followed and documented as required.

Form D Section A Geologic:

5. DEP would like to note that while BLC's response for DEP's original comment regarding the Form 6 and Form 7 is adequate for purposes of this application; for any future expansion application BLC is required to complete a current Form 6 and Form 7, per the instructions, including all the required information in a more succinct format omitting outdated and irrelevant information.

You must submit a response fully addressing each of the deficiencies set forth above within 60 business days.

If you believe that any of the stated deficiencies is not significant, instead of submitting a response to that deficiency, you have the option of asking DEP to make a decision based on the information with regard to the subject matter of that deficiency that you have already made available. If you choose this option with regard to any deficiency, you should explain and justify how your current submission satisfies that deficiency. Please keep in mind that if you fail to respond, your application may be denied.

Should you have any questions regarding the identified deficiencies, please contact Erika Bloxham at ebloxham@pa.gov or (570) 826-2273 to discuss your concerns or to schedule a meeting. The meeting must be scheduled within the 60-day period allotted for your reply, unless otherwise extended by DEP.

Sincerely,



Roger Bellas
Program Manager
Waste Management Program

cc: Kevin Bodner, Martin and Martin, Inc. (via email: knbodner@yahoo.com)
Lower Saucon Township (via email: manager@lowersaucontownship.org)
Northampton County Council (via email: lheffner@northamptoncounty.org)
Lehigh Valley Planning Commission (via email: SRockwell@lvpc.org)