pennsylvania
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

February 26, 2021

Keystone Sanitary Landfill, Inc.
c/o Mr. Dan O'Brien, Business Manager
249 Dunham Drive
Dunmore, PA 18512-0249

RE: Technical Deficiencies
Keystone Sanitary Landfill
Major Permit Modification – Phase III Site Development
Application No. 101247-A142
APS #860390; Auth. ID #1057908
Dunmore and Throop Boroughs, Lackawanna County

Dear Mr. O'Brien:

The Pennsylvania Department of Environmental Protection (DEP) has reviewed the above referenced application and has identified the following technical deficiencies. The deficiencies are based on applicable laws, regulations, and policies and this guidance sets forth DEP's preferred means of satisfying the applicable regulatory requirements.

Technical Deficiencies

1. Form HW-C/MRW-C: Please ensure this form is up to date, complete, and accurate and addresses the following comments.
   a.) Section D is missing some enforcement actions/violations cited against Commonwealth Environmental Systems, L.P., Mount Airy #1, LLC and Smart Recycling, Inc. Please submit a revised, up-to-date list to ensure the list is complete. If any are not to be included, explain why.
   b.) Section D should also be revised to specifically identify the types of enforcement actions (e.g. Notice of Violation, Consent Assessment of Civil Penalty, Summary Citation, etc.) associated with the violations.
   c.) Please provide an up-to-date spreadsheet showing the companies that are responsive to the Form HW-C, as provided with the January 20, 2017 Form HW-C submittal that was part of the renewal application for Commonwealth Environmental Systems, L.P. Solid Waste Management Permit #101615 (referencing the excerpt from the Annual Report of Holding Companies for First National Community Bancorp, Inc.). Ensure that the applicable information on the Form HW-C is provided for any additional companies identified as being responsive.
   d.) There appear to be enforcement actions issued by the Mine Safety and Health Administration (MSHA) missing from the list in Section D.
   e.) It appears that there are delinquent penalties totaling $246.00 associated with MSHA citations/orders issued to Keystone Quarry, Inc. on 9/3/20 and

9/4/20 (Case Number 523739). It also appears that there are proposed penalties totaling $853.00 for MSHA citations/orders issued to Keystone Quarry, Inc. on 9/14/20 (Case Number 525200), and 10/20/20 and 10/21/20 (Case Number 526847). Please inform DEP of the status of these penalties.

2. Form H

   The mitigation of visual impacts proposed by KSL in the application, as part of the Form D Harms/Benefits, states that an aggressive closure capping and revegetation program is planned to mitigate any remaining visual impacts. It is not clear to DEP how the planned revegetation described in the Form H is more "aggressive" than the requirements of 25 Pa. Code § 273.235. If it is KSL's position that the revegetation plan goes above and beyond the regulatory standards, please explain how it does so.

3. Form L – Contingency plan
   a.) Integrated Contingency Plan (ICP), Section A Description of Facility, Site Operations:
      i.) KSL states that a methane recovery plant is operated on site to use landfill gas to make electrical power. That facility (Keystone Recovery/CBI) has been recently decommissioned and is not operating.
      ii.) Although KSL mentions the quarry and pugmill operation there is no mention of the onsite landfill gas flares or landfill gas pre-treatment systems.
   b.) The DEP Guidelines for developing a Preparedness, Prevention and Contingency (PPC) Plan require a drawing that identifies the location of "Raw materials and product storage" and storage tanks. The only drawings included on this topic is Attachment 2 of the ICP. The drawings do not include the location of all above ground storage tanks as stated on Page 4 of the Spill Prevention, Control and Countermeasure (SPCC) Plan. This page states that a schematic shows the location of each tank; however, only 7 tanks are shown in the shop and welding area and other drawings/pictures do not show exact locations of other tanks. (Note: Page 4 of the SPCC Plan states "see schematic of tank locations at Attachment B "Site Map and Tank Locations", but Attachment B states "See Integrated Contingency Plan Attachment 2".)
   c.) The location of containers and tanks throughout the entire property, including the leachate treatment building should be identified on a site map.
   d.) An inventory of chemicals and petroleum products stored onsite and the general location is included in Appendix B of the ICP, but a site map is required showing their exact location. For example, the inventory shows 5800 gallons of Sulfuric acid and 8000 gallons of Sodium hydroxide are stored in the leachate treatment building, but no schematic was included to show the exact location.
   e.) Under "Pollution Incident History" Page 4 of the ICP, KSL does not include the groundwater degradation that occurred due to the leak in one

of the leachate storage lagoons. The Guidelines state: "*List the previous pollution incidents, the date, the material or waste spilled, approximate amount spilled, environmental damage, and action taken to prevent a recurrence.*" Please ensure that all pollution incident history is included.

f.) On Page 17 of the ICP and Attachment D of the SPCC plan KSL lists Environmental Products and Services of VT as a potential environmental contractor to be contacted in the event of a spill. In early 2020 EP&S of VT was purchased by Miller Environmental Group, Inc. and EP&S no longer exists. This should be updated.

g.) Page 8 of the ICP includes a list of seven Emergency Coordinators and their emergency phone numbers. The Guidelines state: "*Where more than one is listed, one must be named as the primary coordinator, and others shall be listed in the order in which they will assume responsibility as alternates.*" In Attachment D of the SPCC Plan, J. Eiden is listed as the first SPCC Coordinator and D. O'Brien is second. KSL needs to identify a Primary emergency response coordinator in the ICP and state if the list of seven is the proper chain of command and also update Attachment D of the SPCC Plan.

4. Form 7

The location of the two proposed groundwater monitoring wells (MW-52 and MW-53) to be added near the Logan disposal area are acceptable. These well locations should be added to drawing HGS1.

5. Form 11

KSL indicates that QA/QC oversite will be performed by a geologist to evaluate the condition of the surface of the landfill subgrade, prior to commencement of construction of base layers of the landfill (i.e. Strain Reduction Layer). A detailed description of the conditions to be evaluated for and proposed actions to be taken if certain conditions exist should be included in the QA/QC plan.

6. Form 14-Operations Plan

a.) Section I- Operating Hours: KSL indicates that operating hours are from 6:00 am to 4:00 pm Monday through Friday and from 6:00 am to 12:00 pm on Saturday. KSL is currently permitted to operate from 5:00 am to 4:00 pm Monday through Saturday. Section I should reflect currently permitted hours of operation unless KSL is proposing to modify them.

b.) Section R-Intermediate Cover: KSL states that areas of intermediate cover, that will not be disturbed for at least 30 days, will be disced and seeded. The Form H states that all disturbed areas not at final grade, which will be without significant activity for more than 20 days, will receive seeding. There appears to be inconsistency between the two documents. This should be clarified.

c.) Section S-Final Cover Schedule: KSL is proposing the ClosureTurf product as an alternative supplemental temporary cap. KSL has also proposed that

all temporary permanent cap to be installed on intermediate grades, that remain undisturbed between Pad sequences, will be constructed in accordance with the approved final cover specifications (i.e., it will include cap liner, drainage geocomposite, 18-inches of final cover subsoil, 6-inches of vegetative top soil and vegetation). As the ClosureTurf product has not been approved for use as closure liner at KSL, it is unclear when this material would actually be utilized.

7. Form 24-Liner Construction Detail
   a.) Sheet 42: Typical Liner and piping Details:
      i. Minimum slope=1.0% for 6-inch diameter collection zone piping. Minimum slope should be 2%
      ii. Subbase slope references 72%<25%. This is most likely a typo. Please confirm subbase slope should be greater than 2% and less than 25% (>2%<25%)

8. Form 25 – Leachate
   a.) Section B of this form lists an injection well and stream discharge as options for treated leachate management. As these have not been approved, they should not be included.
   b.) HELP Model Comment: The DEP does not agree with the use of 5-year simulation data for this application. The 30-year simulation results should be used in all calculations.

9. Form 28 – Closure Plan Bonding Calculations
   a.) Worksheet B #2: The worst-case scenario for final capping still needs to be addressed/evaluated. The current worst-case scenario is reflective of only the maximum acreage of active filling area (~44.15 acres). During this time, there are still areas labeled as active capping areas. Some of these areas may also need to be considered in the worst-case scenario.
   b.) Worksheet I: This section needs to be reflective of the revised rate from Form 25 HELP Model reevaluation requested above in comment 8b.

10. Ambient Air Monitoring Plan
    KSL's proposed location for perimeter air quality monitoring location MP#6, located to monitor the leachate storage lagoon and leachate treatment plant area, should be re-evaluated to insure a more predominantly downwind location. This area is unique in that it may produce air emissions that differ from the other areas of the landfill.

11. Nuisance Minimization and Control Plan (NMCP)
    KSL's NMCP indicates that areas of intermediate cover, that will remain soil capped for at least 12 months, will be monitored for surface emissions as per 40 CFR Subpart WWW. This regulation requires quarterly surface monitoring. DEP believes that these areas should receive more regular surface monitoring until the area is capped with geosynthetic capping material or another lift of

waste is placed. The results of this surface monitoring should be evaluated to determine what if any mitigation measures need to be implemented. This should be re-evaluated by KSL.

12. Educational Benefit
    Based on the information, DEP no longer believes that the proposed Penn State STEM program is a direct benefit of the Phase III project. The program does not appear to be focused on landfills and there is no way to ensure that this will be a valid benefit for the full duration of the project.

13. Line of Site Drawings
    KSL provided updated line of sight drawings to show that the changes in the construction sequence will not negatively impact the mitigation of visual impacts to the public. The drawings are to show when the operations are screened by portions of Phase III that would be already constructed. These drawings show significant differences in final grades/slopes between the final grades proposed in the 2016 drawings and those proposed in the 2020 drawings. Please explain.

You must submit a response fully addressing each of the technical deficiencies set forth above within 30 business days or DEP may deny the application.

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 Sam Warmate at (570) 826-2022 and refer to Application No. 101247-A142, Authorization No. 1057908 to discuss your concerns or to schedule a meeting. You may also follow your application through the review process via *eFACTS on the Web* at: http://www.ahs2.dep.state.pa.us/eFactsWeb/default.aspx.

Sincerely,

David F. Matcho

David F. Matcho, P.E.
Environmental Engineer Manager
Waste Management Program

cc: LaBella Associates