



October 31, 2024

ELECTRONIC DELIVERY TO: ASULKOWSKI@NOBLEENVIRO.COM

Alex Sulkowski
Westmoreland Sanitary Landfill, LLC
111 Conner Lane
Belle Vernon, PA 15012-4519

Re: Minor Permit Modification – Leachate Management Plan and PPC Plan
Sanitary Landfill
Westmoreland Sanitary Landfill, LLC
Rostraver Township, Westmoreland County
I.D. No. 100277
Authorization No. 1463957

Dear Alex Sulkowski:

The Department of Environmental Protection (Department) hereby issues, in accordance with Article V of the Solid Waste Management Act, 35 P.S. Sections 6018.101, *et seq.*, a minor modification of Solid Waste Permit I.D. No. 100277 for the operation of the Sanitary Landfill.

This modification authorizes the following:

- I. Revisions to the Leachate Management Plan and the Preparedness, Prevention and Contingency Plan (PPC Plan) to include the details regarding the interim leachate tank staged in the leachate truck load-out area
- II. Transportation of leachate generated at the permitted facility for off-site treatment and disposal for a period of one year

Compliance with the terms and conditions set forth in Solid Waste Permit I.D. No. 100277 is mandatory. You have the right to file an appeal as to the modified terms and conditions.

This authorization does not relieve Westmoreland Sanitary Landfill, LLC, from applying for and obtaining any additional permits or approvals from local, state, or federal agencies required for this project. Please be advised that if any other permits are required for this project, they must be issued prior to undertaking the activities described in the permit application. Issuance of the attached permit(s) does not indicate an affirmative action on any other pending or future permit applications.

If you are uncertain as to whether or not other permits are needed for this project, please use the Department's *Pre-Application Consultation Tool* (PACT), which can be found at <https://www.ahs.dep.pa.gov/PACT/>. The online tool is designed to quickly and easily assist potential applicants in determining which types of environmental permits, authorizations, or notifications would be needed for specific projects. Based on the user's responses to a series of simple questions, PACT automatically provides an email response with information on permits and other information an applicant should consider.

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board) pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa. C.S. Chapter 5A. The Board's address is:

Environmental Hearing Board
Rachel Carson State Office Building, Second Floor
400 Market Street
P.O. Box 8457
Harrisburg, PA 17105-8457

TTY/TDD users may contact the Environmental Hearing Board through the Pennsylvania Hamilton Relay Service by phone at 1.800.654.5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at <https://ehb.pa.gov/> or by contacting the Secretary to the Board at 717.787.3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD AT 717.787.3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.

If you have any questions about the attached permit modification or requirements of the Solid Waste Management Act, please contact Ihab Abdulfatah of this office at iabdulfata@pa.gov or 412.442.5204.

Sincerely,

Sharon Svitek
Environmental Program Manager
Bureau of Waste Management

Attachment: Permit Modification

cc: Jason Rigone, Westmoreland County (wcplanning@co.westmoreland.pa.us)
Tamira Spedaliere, Rostraver Township (planning@rostraver.us)
David Murray, Civil Design Solutions, Inc. (dmurray@civildesign.org)
Kenneth Lee, PADEP (kenlee@pa.gov)
William Mura, PADEP (wmura@pa.gov)
Ihab Abdulfatah, PADEP (iabdulfata@pa.gov)
Region

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WASTE MANAGEMENT**

FORM NO. 13-A

MODIFICATION TO SOLID WASTE DISPOSAL AND/OR PROCESSING PERMIT

Under the provisions of Act 97, the Pennsylvania Solid Waste Management Act, the Act of July 7, 1980, P.L. 380, 35 P.S. §§ 6018.101, *et seq*, Solid Waste Permit I.D. No. 100277 reissued on July 20, 2015, to Westmoreland Sanitary Landfill, LLC, for the operation of the Sanitary Landfill, a Municipal Waste Disposal Site located in Rostraver Township, Westmoreland County, is hereby modified as follows:

1. This permit modifies Solid Waste Permit I.D. No. 100277 originally issued on May 24, 1991, and subsequently amended. It is issued in response to Solid Waste Management Permit Application I.D. No. 100277 received on December 1, 2023, and designated as Authorization No. 1463957 for the transportation of leachate generated at the facility for off-site treatment and disposal and incorporates revisions to the Leachate Management Plan and the Preparedness, Prevention and Contingency Plan (PPC Plan) to include the details regarding the interim leachate tank staged in the leachate truck load-out area. All subsequent revisions and addendums submitted to the initial application are approved by the Department of Environmental Protection (Department) and are incorporated into this permit amendment.

This permit modification is issued based on the assumption that the information submitted in the referenced application and defined in Permit Condition No. 2 is accurate. Any inaccuracies found in this information may be grounds for the revocation or modification of this permit and potential enforcement action.

2. The approved application consists of the following documents:

Document	Title	Date (Revision)
Form GIF	General Information Form	11/29/23
Form A	Application for Municipal or Residual Waste Permit	11/21/23 (10/08/24)
Form B	Professional Certification	11/29/23
Form B1	Application Form Certification	11/29/23
Form MRW-C	Compliance History	11/20/23
Form L	Contingency Plan for Emergency Procedure	11/29/23
Form 25	Leachate Management – Phase II	11/29/23(10/08/24)

This modification shall be attached to the existing Solid Waste Permit described above and shall become a part thereof effective on October 31, 2024.

Sharon Svitek

FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

**PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION
WASTE MANAGEMENT**

Permit I.D. No. 100277

3. This permit modification is issued pursuant to 25 Pa. Code § 273.163(b), authorizing the vehicular transportation of leachate generated at the Sanitary Landfill for offsite treatment and disposal. This authorization is valid for a period of one year from the date of issuance of this modification or until an approved permanent leachate management plan is fully implemented at the facility, whichever occurs first.
4. This modification authorizes the revisions to the approved Leachate Management Plan involving the details regarding the interim leachate tank staged in the leachate truck load-out area as described in the approved Form 25.
5. This permit modification authorizes revisions to the Contingency Plan for Emergency Conditions as described in Form L of the approved application. This authorization is subject to the following conditions:
 - A. The provisions of the approved plan shall be carried out whenever emergency situations arise which endanger public health and safety or the environment.
 - B. A copy of the approved plan and any subsequent revisions shall be maintained on-site. All members of the facility's organization responsible for developing, implementing, and maintaining the plan, and all designated emergency coordinators, shall review the plan and be thoroughly familiar with its provisions.
 - C. Additional copies of the approved plan shall be distributed to the county and local emergency management agencies, local fire departments and/or hazardous materials teams, local emergency medical services, and local police departments to the extent to which they may become involved in an actual emergency.
 - D. The Contingency Plan shall be periodically reviewed and, if necessary, updated. At a minimum, revisions must occur when:
 - i. Applicable Department regulations are revised
 - ii. The plan fails in an emergency
 - iii. The facility changes in its design, construction, operation, maintenance, or other circumstances, in a manner that materially increases the potential for fires, explosions or releases of toxic or hazardous constituents, or which changes the response necessary in an emergency
 - iv. The list of emergency coordinators changes
 - v. The list of emergency equipment changes; or

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- vi. As otherwise required by the Department.
6. Any final operational, design or other plan developed subsequent to the issuance of this permit modification which exhibit changes in structure, location, specification or other changes of substance shall be submitted to the Department for subsequent permit action. Any deviation from the plans herein approved shall not be implemented before first obtaining a permit amendment or written approval from the Department.
 7. Unless amended by this permit modification or a previously approved permit modification, all design and operational requirements set forth in Solid Waste Permit I.D. No. 100277, issued on May 24, 1991, remain valid for this permit modification.
 8. If there is a conflict between the application, its supporting documents and/or amendments and the terms and conditions of this permit, the terms and conditions of this permit shall apply.
 9. Approval of this permit modification does not guarantee site stability or operational effectiveness. Failure of this site to perform as intended or designed according to the application documents herein approved for any reason shall be sufficient grounds for revocation or suspension of this permit.