



NORTHEAST REGIONAL OFFICE

January 12, 2022

Mr. Dan O'Brien
Keystone Sanitary Landfill, Inc.
249 Dunham Drive
Dunmore, PA 18512
Email address: dano@ksl.com

Re: Request for Temporary Increase of Maximum Daily Volume (MDV) Limit to Facilitate
Community Environmental Project
Keystone Sanitary Landfill, Inc. ("KSL")
Throop/Dunmore Boroughs, Lackawanna County
I.D. No. 101247

Dear Mr. O'Brien:

The Pennsylvania Department of Environmental Protection (Department) has reviewed your January 6, 2022 request to temporarily waive KSL's Maximum Daily Volume (MDV) limit. You state that the reason for this request is to facilitate the clean-up of the A-Plus Powerwash site, located at 15 South Keyser Avenue in Taylor, Pennsylvania (A-Plus Powerwash site). Your request also refers to a requirement contained in paragraph 1 of the January 6, 2022 first amendment to the Consent Order and Agreement (CO&A) between KSL and the Department requiring KSL to provide the Department with ten (10) days notice prior to commencing waste removal from the A-Plus Powerwash site. Your request further states that if the ten (10) day notice requirement can be waived, waste removal can begin as early as this week, and will otherwise be delayed until January 17, 2022.

On December 10, 2020, the Department executed a CO&A with KSL that provided disposal space for construction/demolition (C&D) waste that was unlawfully disposed of on the A-Plus Powerwash site. This waste was to be disposed of at KSL within one year of the execution of the CO&A. On December 13, 2021, KSL requested an extension of the deadline to have this material disposed of at the landfill, due to the inability or unwillingness of the responsible parties (Michael Stine and/or A-Plus Powerwash) to transport the waste to KSL. The January 6, 2022 request indicates that KSL made arrangements with a hauler to transport the waste to the landfill.

Because the Department recognizes the benefits of beginning this project as soon as possible and the ability to transport the clean-up waste to the landfill in larger daily quantities, the Department will waive the ten (10) day notice requirement referred to above and is approving your request for a temporary waiver of KSL's MDV limit subject to the following conditions:

1. The MDV limit increase for accepting C&D clean-up waste from the A-Plus Powerwash site is effective immediately through and including June 30, 2022.

2. The only waste allowed to be accepted, above the current permitted MDV of 7500 tons per day, is the clean-up waste from the A-Plus Powerwash site.
3. KSL shall keep operational records of the clean-up waste accepted from the A-Plus Powerwash site. These records shall differentiate between this clean-up waste and other wastes accepted at the landfill. Records of the clean-up waste from the A-Plus Powerwash site, accepted at the landfill on any day in excess of the current permitted MDV of 7500 tons per day, shall be submitted to the Department the next business day.
4. To minimize any potential nuisances due to increased traffic, all trucks carrying clean-up waste from the A-Plus Powerwash site will utilize Interstate 81 to Interstate 380 South. Then utilize the Tigie Street exit to Dunham Drive.
5. KSL shall notify the Department by 8:00 am each day that clean-up waste from the A-Plus Powerwash site will be transported to the landfill.
6. Any additional conditions of the CO&A relative to this Community Environmental Project remain applicable.
7. KSL shall ensure that the transportation of the waste to the landfill complies with 25 PA Code Chapter 285 (relating to the storage, collection and transportation) and the Waste Transportation Safety Act, 27 Pa. C.S. Sections 6201-6209.

Please be advised that this temporary approval may be modified or rescinded should operations result in unacceptable nuisance conditions on or off the site. Any submittals to the Department by KSL pursuant to this letter shall be made by email addressed to rbellas@pa.gov.

If you have any questions regarding this matter, please contact me at 570-826-2201 or rbellas@pa.gov

Sincerely,

Roger Bellas

Roger Bellas
Environmental Program Manager
Waste Management Program

Cc: Throop Borough (lcimini@throopboro.com)
Dunmore Borough (vito.ruggiero@dunmorepa.gov)