



April 12, 2022

NOTICE OF VIOLATION

Mr. Dan O'Brien, Business Manager
Keystone Sanitary Landfill, Inc.
via e-mail: dano@kslco.com

Re: Keystone Sanitary Landfill, Inc.
PADEP Permit No. 101247
Dunmore and Throop Boroughs, Lackawanna County

Dear Mr. O'Brien:

The Pennsylvania Department of Environmental Protection ("Department") has determined that Keystone Sanitary Landfill, Inc. ("KSL") is in violation of the Solid Waste Management Act, Act of July 7, 1980, P.L. 380, No. 97, 35 P.S. Sections 6018.101 et seq. ("Solid Waste Management Act"), and the Municipal Waste Management Rules and Regulations found at 25 Pa. Code Chapters 271 to 285 as follows:

A review of leachate storage amounts in the East and West lagoons revealed that KSL stored leachate in excess of 25% of its total leachate storage capacity on a regular basis. Leachate storage amounts exceeded 25% of the total leachate storage capacity in each month since May 2021 up to the present. Therefore, KSL used more than 25% of the total leachate storage capacity for flow equalization on a regular basis, in violation of 25 Pa. Code §§ 273.275(b) and 273.201(c).

Within fifteen (15) days of receipt of this notice, please submit to the Department a proposed plan and schedule that addresses the correction and prevention of the above violation. The response should be submitted by e-mail, as an attachment, to this resource account: ra-epwm-nero@pa.gov.

You are hereby notified of both the existence of the violation as well as the need to provide for prompt correction. Under the Solid Waste Management Act, each day a violation continues is considered a distinct and separate offense. The violation noted herein may result in an enforcement action under the Solid Waste Management Act.

This Notice of Violation is neither an Order nor any other final action of the Department. It neither imposes nor waives any enforcement action available to the Department under any of its statutes. If the Department determines that an enforcement action is appropriate, you will be notified of the action.

If you have any questions regarding this letter, please contact me at (570) 826-2434 or at rachmiller@pa.gov.

Sincerely,

Rachel Miller

Rachel Miller
Environmental Protection Compliance Specialist
Waste Management Program

cc: Dominick DeNaples, Keystone Sanitary Landfill, Inc. (via e-mail: dominickd@kslco.com)
Dunmore Borough (via e-mail: yito.ruggiero@dunmorepa.gov)
Throop Borough (via e-mail: lcimini@throopboro.com)