

August 17, 2022

VIA EMAIL

Mr. David Pannucci, Region Engineer  
Bethlehem Landfill Company  
2335 Applebutter Road  
Bethlehem, PA 18015  
email: [david.pannucci@wasteconnections.com](mailto:david.pannucci@wasteconnections.com)

Re: Environmental Assessment  
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:

The Department of Environmental Protection (DEP) has completed its review of the Environmental Assessment (EA) for the Bethlehem Landfill Company (BLC) Northern Realignment Expansion Application. The review was performed in accordance with the Municipal Waste Regulations, 25 Pa. Code §271.126 and §271.127, as well as DEP's Environmental Assessment Policy. DEP evaluated the information contained in the application to determine whether BLC demonstrated that the benefits of the proposed project to the public clearly outweigh the known and potential environmental harms that will remain after the proposed mitigation.

DEP has determined that BLC has shown that the identified benefits of the project clearly outweigh the remaining known and potential harms of the project. DEP's Harms vs. Benefits analysis is enclosed with this letter. Before DEP can begin the technical review of the application, DEP requests BLC provide a revised Form 1 and Form 14 to include the landfill's newly implemented plan to maintain a separate stockpile solely for daily cover operations.

Sincerely,



Roger Bellas  
Program Manager  
Waste Management Program

Enclosure

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

**EXHIBIT**

**BLC 39**

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# **Environmental Assessment Analysis (Harms/Benefits)**

**Bethlehem Landfill Company #100020  
Northern Realignment  
Environmental Assessment  
Lower Saucon Township, Northampton County**

Prepared by:  
Pa. Department of Environmental Protection  
Northeast Regional Office  
Waste Management – Facilities Section

August 2022



**pennsylvania**

DEPARTMENT OF ENVIRONMENTAL PROTECTION

## **PROJECT DESCRIPTION**

Bethlehem Landfill Company (BLC) operates an existing 201-acre landfill located off Applebutter Road in Lower Saucon Township, Northampton County. The area in the immediate vicinity of the landfill is generally rural with a more densely populated area to the northwest and an industrial area to the southwest. The Lehigh River is located approximately ¼ mile to the north. On December 23, 2020, the Department of Environmental Protection (DEP) received a major modification application for BLC's 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. The expansion area totals approximately 40.6 acres and would increase the facility's disposal capacity by approximately 1,359,891 tons (2,304,900 cubic yards). The proposed expansion would increase the life of the landfill by approximately 3.2 years.

As part of the review of BLC's application, DEP's review is coordinated with various local, state, and federal entities where necessary. Local land use approval and other state and/or federal agency concurrence may be necessary prior to permitting of the expansion project. In addition, permits required by BLC from DEP may be coordinated as necessary for the project.

Pursuant to 25 Pa. Code § 271.202, receipt of a permit application for a modification that results in increased disposal capacity does not occur until a Local Municipality Involvement Process meeting is held. At this meeting DEP, the applicant, and municipal officials meet to discuss the application, DEP's review process, the public involvement steps, and any concerns and questions of the municipal officials. This Local Municipality Involvement Process meeting was held on February 17, 2021. The application was found to be complete and officially accepted on March 10, 2021. On September 24, 2021, DEP issued the first Environmental Assessment Process (EAP) review letter. BLC responded to the review letter on November 9, 2021. On February 8, 2022 DEP issued the second EAP review letter. BLC responded to the review letter on February 25, 2022.

## **PUBLIC AND MUNICIPAL INPUT**

The application was noticed in the Pennsylvania Bulletin on March 27, 2021. DEP did not receive any public comments. The host municipality, Lower Saucon Township, requested the PA Department of Health (PADOH) conduct a health study to evaluate the current potential for health impacts from the BLC operation. PADOH and the Agency for Toxic Substances and Disease registry (ATSDR) recommended DEP did not need to conduct real-time air monitoring at BLC to evaluate potential health effects, as the conclusions or recommendations may not differ much from the previous 2016 health study. Most of the time, air monitoring data do not necessarily reflect the levels of contamination to which people may be exposed. Hence, PADOH and ATSDR recommended that DEP closely oversee landfill activities, enforce landfill permit regulations, including nuisance odor rules, and implement robust engineering controls at the landfill/source location to reduce emissions in the surrounding community.

## ENVIRONMENTAL ASSESSMENT PROCESS

25 Pa. Code § 271.126 and § 271.127 (relating to environmental assessment) require that an applicant conduct and demonstrate that the benefits related to the project clearly outweigh the known and potential environmental harms that remain after mitigation. Applications subject to the environmental assessment regulations must: (1) include a detailed analysis of the potential impact of the proposed facility on the environment, public health and public safety; (2) describe the known and potential harms of the proposed project; (3) include a written mitigation plan that explains how each known and potential harm will be mitigated and the extent to which any known or potential harms remain after mitigation; and (4) demonstrate that the benefits of the project to the public clearly outweigh the known and potential environmental harms that will remain after the proposed mitigation. Benefits and known and potential harms can be identified by the applicant, DEP or other agencies or any municipality or person.

Benefits of the project consist of social and economic benefits that remain after taking into consideration the known and potential social and economic harms of the project and may also consist of the environmental benefits of the project. To determine whether an impact is a harm or a benefit, DEP compares the applicant's proposal to the conditions that would exist if the project did not move forward. In reviewing an environmental assessment, DEP evaluates social and economic benefits after offsetting them with social and economic harms. Environmental harms are evaluated after offsetting them with acceptable mitigation plans. The environmental harms are then balanced against the social and economic and environmental benefits to determine if the benefits clearly outweigh the harms.

BLC submitted an environmental assessment in its application that provided their analysis of the potential impact of the proposed project on the environment, public health, and safety. DEP evaluated the environmental assessment to determine whether the proposed project has the potential to cause environmental harm. Where appropriate, past performance is used to predict future conditions related to a harm or benefit. In this document, DEP provides its analysis of the known and potential environmental harm that will remain after implementation of the proposed mitigations and whether the benefits of the proposed project clearly outweigh the remaining harms.

Benefits and harms are identified as "known" benefits or harms or "potential" benefits or harms. A known harm or benefit is one that DEP believes will occur in the future. A potential benefit or harm is one that might occur given the right circumstances. A known benefit or harm carries greater weight than if that same benefit or harm were a potential benefit or harm for a particular project.

For each benefit and harm the duration, frequency, intensity, reach (i.e., who will be affected) and sensitivity of receptor are evaluated. For this discussion, duration refers to how long a harm or benefit may continue. Frequency refers to how often it may occur. Intensity refers to how much the harm or benefit may be if or when it occurs. It should be noted that the words "duration," "frequency," "intensity," "reach," and "receptor sensitivity" will not be used to

describe every harm and benefit in the analysis. However, these factors are considered for each harm or benefit and are discussed when appropriate.

Each harm is discussed individually below to determine if it has been fully mitigated. If a harm is fully mitigated, that harm is generally not included in the balancing portion of this document. If there is harm remaining after mitigation, that remaining harm is included in the balancing. The balancing looks at the individual and collective impacts of all the harms and the benefits to ensure that the total effect of the project is such that the related benefits clearly outweigh the harms.

The harms detailed below are those identified by BLC, DEP, or third parties who provided comment on the application. The mitigation measures and benefits have been edited from the application and reflect BLC's own wording or viewpoint. There is no tacit or implied acceptance of statements made by BLC within their application or repeated in the mitigation or the benefits sections of this document, by virtue of those statements being included in, or excluded from, this document. The "DEP Determination of Remaining Impacts", "DEP Evaluation of Benefit" and "Conclusions" sections are DEP's independent evaluation of BLC's proposed mitigation and proposed benefits.

### **HARMS AND MITIGATION**

(E) = Environmental, (SE) = Social & Economic

- 1. Truck Safety and Traffic Impacts (SE):** Impacts associated with unsafe and/or overweight vehicles on the roadways due to the operation of the landfill is a potential harm of the landfill operation. Furthermore, the potential impacts associated with additional trucks on the roadways due to the operation of the landfill will continue for the life of the project.

Proposed Mitigation: BLC has implemented a variety of measures to minimize and mitigate known and potential harms related to truck safety, vehicle related nuisances and traffic impacts. These mitigation measures are detailed in the Transportation Compliance Plan (TCP) and Nuisance Minimization and Control Plan (NMCP).

DEP Determination of Remaining Impacts: Based on DEP's inspections and review of records, BLC's mitigation of truck safety impacts is generally effective. The proposed operation should not exacerbate the existing or potential harms, but it will extend the duration of those harms by providing new disposal capacity to extend waste disposal operations in the area; therefore, some potential harm for unsafe vehicles and a known harm of additional trucks on the roadways will remain for the purpose of this environmental assessment.

- 2. Odors (E):** Odors from waste disposal and landfill gas production are a potential harm.

Proposed Mitigation: BLC undertakes numerous measures to minimize and control potential nuisances associated with the operation of a solid waste disposal facility. BLC will continue to follow their mitigation measures outlined in the NMCP to address

the potential for odors including employing the following: weekly inspections of cover, review of each incoming load, active gas collection and flare system, adhering to a final capping schedule, leachate seep control, and use of odor control misters. In response to an uptick in odor complaints in 2021, Township concerns, and observations by DEP, BLC has updated their capping schedule and developed an Enhanced Odor Mitigation Plan which includes performing monthly surface emissions monitoring (SEM) on uncapped areas at intermediate grade with intermediate cover.

DEP Determination of Remaining Impacts: BLC has proposed adequate mitigation and the recent implementation of temporary and permanent capping material have significantly reduced the number of odor complaints thus far in 2022; however, it may not provide complete elimination of odors at all times. Furthermore, the mitigation could fail to work as intended due to improper implementation or maintenance. Therefore, some potential harm will remain for the purpose of this environmental assessment.

- 3. Dust (E):** Dust from truck traffic and construction activities at the landfill is a potential harm.

Proposed Mitigation: BLC utilizes various measures to minimize fugitive dust generation including inspection of site for dust generation; maintenance of site access roads and use of a sweeper vehicle/water truck as needed; vegetation of disturbed areas; and review of incoming waste streams and inspection of each incoming load.

DEP Determination of Remaining Impacts: DEP's experience based on inspections and oversight is that BLC's mitigation measures have generally been effective at preventing off-site dust. While BLC has proposed adequate mitigation, it is unlikely to provide complete mitigation (elimination) of dust; therefore, some potential harm will remain for the purpose of this environmental assessment.

- 4. Mud (E):** Mud being tracked off-site by landfill traffic is a potential harm.

Proposed Mitigation: BLC utilizes a sweeper vehicle and water truck to minimize the tracking of mud off-site.

DEP Determination of Remaining Impacts: DEP's experience based on inspections and oversight is that BLC's mitigation measures have generally been effective at preventing mud from being tracked off-site. However, because the mitigation could fail to work as intended due to improper operation or maintenance or because of natural events some potential harm will remain for the purpose of this environmental assessment.

- 5. Vectors (E):** The attraction of vectors and birds is a potential harm of the landfill operation.

Proposed Mitigation: BLC utilizes cover soils and licensed extermination services to minimize the attraction and breeding of vectors

DEP Determination of Remaining Impacts: DEP's experience based on inspections and oversight is that BLC generally has effective mitigation measures in place to control vectors. However, because the mitigation could fail to work as intended due to improper implementation or maintenance some potential harm will remain for the purpose of this environmental assessment.

- 6. Litter (E):** On and off-site litter from the acceptance and disposal of waste is a potential harm.

Proposed Mitigation: BLC undertakes numerous measures to minimize and control litter. These mitigation measures include: the use of tarps or covers on vehicles; management of working face via small size and water spray; prompt placement of daily cover; litter fencing; and patrolling the site for litter.

DEP Determination of Remaining Impacts: BLC has proposed adequate mitigation measures to prevent litter from being unsightly or leaving the site. DEP has observed offsite litter on occasion and has received complaints as recently as February 2022 regarding offsite litter. As a result, in addition to the measures described above, BLC has indicated it will make more patrols through the neighborhood and work to be more proactive in preventing offsite litter. While BLC's past mitigation measures have not been able to prevent offsite litter completely, BLC's current additional efforts are expected to provide adequate mitigation. However, because the mitigation could fail to work as intended due to improper implementation some potential harm will remain for the purpose of this environmental assessment.

- 7. Noise (E):** Off-site noise is a potential harm of the landfill operation.

Proposed Mitigation: BLC's mitigation measures to minimize noise include: the use of mufflers on site equipment; onsite speed limit of 10 mph; use of backup motion sensor system on site equipment; and adherence to hours of operation.

DEP Determination of Remaining Impacts: The proposed project should not exacerbate the existing potential for off-site noise, but it will extend the operating life of the landfill and therefore will extend the duration of the potential harm. While BLC has proposed adequate mitigation, it is unlikely to provide complete mitigation (elimination) of noise; therefore, some potential harm will remain for the purpose of this environmental assessment.

- 8. Runoff (E):** Runoff and leachate seeps from the landfill is a potential harm.

Proposed Mitigation: BLC's mitigation measures to control runoff and leachate seeps at the landfill include conducting inspections and implementing the Soil Erosion and Sediment Control Plan.

DEP Determination of Remaining Impacts: When followed, BLC's Soil Erosion and Sediment Control Plan should be sufficient to mitigate storm water runoff at the site. BLC has in the recent past failed to follow their inspection and maintenance plan and failed to clean out the sedimentation basins at the site regularly. As result, multiple storms have caused sedimentation basin 4 to overflow. In an effort to improve compliance with the plan, BLC has developed a post rain event inspection form that will be filled out following significant rain events and will be reviewed by landfill management to ensure proper function of the erosion and sediment controls at the site. BLC's new inspection form is expected to help ensure necessary maintenance is conducted and tracked better in the future. However, because mitigation could fail to work as intended due to improper operation or maintenance or because of natural events some potential harm will remain for the purpose of this environmental assessment.

- 9. Leachate (E):** Generation of leachate and the potential for groundwater contamination from the landfill is a potential harm.

Proposed Mitigation: BLC undertakes numerous measures to minimize and control leachate. These mitigation measures include use of a liner system, leachate management system, groundwater monitoring system and groundwater abatement system.

DEP Determination of Remaining Impacts: BLC is managing current flows in accordance with DEP Regulations and has proposed adequate mitigation measures to minimize and control leachate. A network of groundwater monitoring wells is utilized to evaluate whether the current landfill operations are impacting groundwater. Based on this groundwater monitoring, there is no evidence that BLC's current municipal waste landfill operation is impacting groundwater. Controls and groundwater monitoring systems are design features required by regulation. Their functions are to minimize, to the best extent practicable, some of the potential harms associated with the operation of the landfill. However, because mitigation could fail to work as intended due to improper operation or maintenance or because natural events exceed the minimum/maximum standards used for design purposes, some potential harm will remain for the purpose of this environmental assessment.

- 10. Fire Risk (E):** The risk of fires and subsurface reactions is a potential harm of a landfill operation.

Proposed mitigation: BLC has implemented several measures related to fire safety. The site's LFG extraction wells are monitored for oxygen, pressure, and temperature. The LFG well monitoring readings are reviewed by BLC LFG staff for any irregularities in the data that indicates potential subsurface reactions. Additionally, all waste is immediately covered at the end of each working day which minimizes the potential for fires. Furthermore, as a preventative measure, BLC maintains a full tank of water in the on-site water truck in the unlikely event of a fire.



DEP Determination of Remaining Impacts: While BLC does not have a history of fires and subsurface reactions, they can and do occur at landfills. BLC has proposed adequate mitigation measures to monitor for and minimize the risk of fires and subsurface reactions. However, because the mitigation could fail to work as intended due to improper implementation or maintenance some potential harm will remain for the purpose of this environmental assessment.

### **BENEFITS**

(E) = Environmental, (SE) = Social & Economic

1. **Recycling Drop Off Containers (SE):** Recycling drop off containers are provided at the landfill for use by the local population to promote and encourage recycling.

DEP Evaluation of Benefit: DEP believes that the recycling drop off containers is a Social and Economic benefit because BLC is providing access to free recycling. Because this is a service that the local community would not continue to receive without the expansion, this is a Social and Economic benefit for the life of the project.

2. **Free White-Goods Disposal (SE):** BLC provides free year round white-goods disposal to the residents of Lower Saucon Township.

DEP Evaluation of Benefit: DEP believes that the free white-goods disposal is a Social and Economic benefit because BLC is providing access to free disposal. Because this is a service that the local community would not continue to receive without the Northern Realignment project, this is a Social and Economic benefit for the life of the project.

3. **Benefits to Lower Saucon Township (SE):** Lower Saucon Township, the host community for BLC, will continue to receive host benefit fees. The current host fee amount is \$6.14/Ton for municipal solid waste and \$8.87/Ton for residual waste. These rates increase annually at a rate of 4% per year. The Township receives approximately \$2.7 million a year of unencumbered funds for its use and amounts to approximately 30% of the total Township operating revenue.

DEP Evaluation of Benefit: The host fees are based on tonnages and are paid on a quarterly basis and there is no guaranteed minimum amount. These fees are considered to be a Social and Economic benefit for the life of the Northern Realignment project.

4. **Local Economic Benefit from Operating Expenses (SE):** BLC identified that the continued operation of the landfill results in additional purchases and use of local and regional goods, services, and supplies. These include fuel, piping, supplies, quarry products, environmental control products and systems, vehicle services, tires, rental equipment, professional consulting and testing services, gas management services, parts and inventory, facility landscape services and computers and office supplies. These expenditures are projected at a rate of approximately \$1,481,430 per year for the

duration of the proposed project. According to BLC, the majority of the benefits are spent within a 30-mile radius of the landfill.

DEP Evaluation of Benefit: BLC determined this benefit using a more regional radius of 30-miles so the impact to the immediate local community is unknown. While the benefits associated with operating expenses will be considered a benefit, the fact that it is not clear how much those most impacted by harms (local community) benefit lowers the weight of this benefit.

5. **Local Economic Benefit from Capital Expenditures (SE):** BLC identified that the project will result in an increase in local spending on capital improvements in terms of equipment purchases and site development costs totaling an estimated \$21.3 million during the proposed additional 3 years of additional site life. These expenditures average approximately \$7.1 million per year, of which more than \$5.7 million are projected to be made within the local area. According to BLC, the majority of the benefits are spent within a 30-mile radius of the landfill.

DEP Evaluation of Benefit: BLC determined this benefit using a more regional radius of 30-miles so the impact to the immediate local community is unknown. While the benefits associated with capital expenditures will be considered a benefit, the fact that it is not clear how much those most impacted by harms (local community) benefit lowers the weight of this benefit.

6. **Direct Employment (SE):** BLC identified that the project will result in the continued employment of 15 full-time employees at the landfill.

DEP Evaluation of Benefit: The continued employment of landfill employees and associated payroll taxes are considered to be a Social and Economic benefit of the project.

7. **Emergency Management Capabilities (SE):** BLC has identified that the landfill has extensive and well trained emergency management personnel on-site, as well as readily available heavy equipment. These staff and equipment have been available to the community to assist in times of need, such as during floods, snowstorms, and other emergencies. Extending the life of the landfill continues this availability of personnel, equipment, and disposal capacity to the local and regional community.

DEP Evaluation of Benefit: This is a potential benefit based on need will be considered a minimal benefit for the life of the landfill.

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## **BALANCING OF HARMS AND BENEFITS**

Based on the discussion of harms above, DEP has determined that the following known or potential harms are related to the proposed project:

<b>Known Environmental Harms:</b>	<b>Known Social and Economic Harms:</b>
	Traffic
<b>Potential Environmental Harms:</b>	<b>Potential Social and Economic Harms:</b>
Odors	Unsafe Vehicles
Dust	
Mud	
Vectors	
Litter	
Noise	
Runoff	
Leachate	
Fire Risk	

Through the design and operational controls utilized at its existing facility, BLC has been generally successful in adequately mitigating many of the harms associated with traffic, air quality, water quality, and vectors. This indicates that BLC should be successful in mitigating the harms from the proposed project to the same extent.

The potential harms associated with traffic, noise, vector impacts, waste odors, and litter impacts will only persist as long as landfill disposal operations, or at least 3.2 years based on the disposal capacity provided by the project. Furthermore, while the potential for these impacts is limited to active landfill disposal operations, mitigation should limit the duration and frequency of any occurrences. The intensity of the harm is also impacted by the effectiveness of BLC's controls in reacting and responding to the incident. Based on past experience, BLC's design and operational controls should result in only infrequent occurrences of harms related to traffic, noise, vectors, and litter. These controls should also minimize the severity, or intensity, of any such occurrence. DEP has observed offsite litter on occasion and has received complaints as recently as February 2022 regarding offsite litter. However, BLC has indicated it will make more patrols through the neighborhood and work to be more proactive in preventing offsite litter and these additional efforts to increase and improve mitigation are expected to limit the number, duration, and intensity of any future occurrences.

On April 19, 2022 an inspection by DEP determined that BLC failed to place adequate daily cover material on exposed solid waste and failed to maintain the required 5-day supply of cover materials on site. Placement of daily cover material is a mitigation measure used to prevent vectors, odors, blowing litter and other nuisances. A Notice of Violation was issued to BLC on May 10, 2022 for this incident. Following the violation, the slope was promptly recovered and BLC stockpiled clean soil materials on site to be used as daily cover. To avoid this situation in the future, BLC plans to maintain a separate stockpile solely for daily cover operations and BLC has secured multiple sources for off-site clean soils. Minimization of the potential for harms associated with vectors, odors and blowing litter is dependent on proper implementation of mitigation measures. While BLC failed in this instance to implement proper mitigation measures, BLC's corrective actions to maintain a separate stockpile solely for daily cover operations and secure multiple sources for soil should limit future occurrences.

The potential for water quality impacts will persist beyond the cessation of active landfill disposal operations. Based on groundwater monitoring data, there is no evidence that BLC's current municipal waste landfill operation is impacting groundwater. In addition to potential impacts from leachate, stormwater runoff can also lead to potential impacts. The duration and intensity of any impacts is dependent on proper implementation of mitigation measures. In the past, BLC has failed to consistently follow the landfill's Soil Erosion and Sediment Control Plan inspection and maintenance procedures. However, BLC has developed a new inspection form that is expected to help ensure necessary maintenance is performed in a timely manner in the future therefore limiting the number, duration, and intensity of any future runoff/overflow events.

The potential for landfill gas emissions and associated odors is another potential harm that will persist beyond the cessation of active landfill disposal operations, although it is important to note that capture of gas should improve under final cap and gas generation from the waste decreases over time. BLC has updated their capping schedule and developed an Enhanced Odor Mitigation Plan which is expected to limit the number, duration, and intensity of future off-site odor occurrences.

Based on the discussion of the benefits above, DEP has determined that the following known benefits are related to the proposed project:

<b>Known Environmental Benefits:</b>	<b>Known Social and Economic Benefits:</b>
	Recycling Drop Off Containers
	Free White Goods Disposal
	Host Fees
	Operating Expenses
	Capital Expenditures
	Direct Employment
	Emergency Management Services

There are significant social/economic benefits to the local community in the form of host fees, with additional benefits arising from direct commerce expenditures, direct employment and free waste and recycling services. These benefits directly impact the local community and that impact can be very significant as far as Township revenue and jobs. The Township host fees amount to approximately 30% of the total Township operating revenue. The social/economic benefits will have a duration of at least 3.2 years.

BLC alleged additional benefits; however, DEP determined they either have not been adequately defined, are not benefits to be attributed to the proposed project or are more appropriately considered to be mitigation rather than benefits.

DEP considered the harms and benefits individually and collectively when balancing the harms against the benefits. DEP considered the identified environmental harms and their mitigation measures. The host fees are a significant social/economic benefit to the local community. The known social/economic harm (traffic) is expected to be of low intensity and adequately mitigated. The potential harms are not likely to occur or, should they occur, would

be infrequent and of low intensity, as long as the proposed mitigation measures are implemented properly. Most of the harms associated with the project are already associated with the existing landfill operation. DEP's experience based on inspections and oversight is that BLC generally operates in compliance and has effective mitigation measures in place to control harms such as dust, vectors, noise, and leachate. BLC's additional mitigation measures for litter, run off, and odors are expected to further improve mitigation of these potential harms in the future.

### **CONCLUSION**

Pursuant to 25 Pa. Code § 271.127, DEP has determined that BLC has demonstrated that the benefits to the public from the project clearly outweigh the known and potential harms posed by it. The social and economic benefit to the local community from host fees is significant. Furthermore, the continued employment of landfill employees; purchases and use of local and regional goods, services, and supplies; and an increase in local spending on capital improvements in terms of equipment purchases and site development costs are also significant benefits. The structural and operational mitigation controls proposed by BLC are adequate to prevent any major harms to the community. Following its Phase II/technical review, which includes further consideration of whether the project will cause unreasonable degradation and diminution of the environment, DEP may act to deny, approve, or approve with condition the permit for BLC's expansion.

### **TECHNICAL REVIEW**

DEP requests BLC provide a revised Form 1 and Form 14 to include the landfill's newly implemented plan to maintain a separate stockpile solely for daily cover operations so DEP can proceed with the technical review of the application.