



June 13, 2016

Chrin Brothers, Inc.
c/o Joseph Klobusicky, Environmental Manager
1225 Industrial Drive
Easton, PA 18042

Re: First Environmental Assessment Review
Chrin Brothers Sanitary Landfill
Major Permit Modification – Eastern Expansion and Overlay
Application No. 100022-A151
Williams Township, Northampton County
APS#882383 AUTH#1093189

Dear Mr. Klobusicky:

On July 14, 2015, the Department of Environmental Protection (DEP) received a major permit modification application for Chrin Brothers Sanitary Landfill's (Chrin) Eastern Expansion and Overlay project. The expansion consists of an overlay on the existing disposal area and a new disposal area of approximately 32.7 acres located to the east of the existing landfill. The expansion would increase the facility's disposal capacity by approximately 6.15 million cubic yards. The Local Municipality Involvement Process meeting was held on October 5, 2015. The application was found to be incomplete and a letter was issued on October 16, 2015. After receipt of additional information on November 5, 2015, the application was found to be complete and officially accepted on November 9, 2015. A public meeting was held on March 21, 2016 at the Wilson Area High School. There has been public interest in the application. The following comments are the result of DEP's first Environmental Assessment review of the application.

Environmental Assessment Harms/Benefits analysis required by 25 Pa. Code §271.126-127

The Chrin application is subject to the Environmental Assessment Process regulations and as such, the application included an analysis of the potential impact of the proposed facility on the environment, public health and public safety including a description of the known and potential harms of the proposed project and mitigation plans that explain how each known or potential harm will be mitigated and the extent to which any known or potential harms remain after mitigation. The application also included a description of the benefits of the proposed project. The following summarizes DEP's review of the Environmental Assessment Harms/Benefits Analysis of the Chrin Eastern Expansion and Overlay application. The scope of this review is limited to harms and benefits of the Eastern Expansion and Overlay proposal and does not consider harms and benefits associated with the existing landfill as permitted other than to the extent that past performance can be used as an indicator of future performance.

General Comments

1. On March 12, 2013 a slope failure occurred at the site affecting the Stage 3D and 3E areas of the landfill. The project proposed in this application includes an overlay in the area affected by the slope failure. The application was prepared assuming the Stage 3D and 3E areas were already reconstructed and re-filled with waste. The minor permit modification application for the reconstruction of Stage 3D and 3E areas affected by the slope failure is currently still under review and DEP has recently requested more information. Additionally, Chrin is still working on relocating the waste and continues to evaluate the slide area. This work is not anticipated to be completed until March 2018. Including an overlay of areas affected by the slope failure in this expansion application may not be appropriate since DEP has not fully evaluated and approved the reconstruction application. An overlay of the slide area or proposed liner replacement in fill areas 1, 2, and 3 cannot be approved until the Department has fully evaluated the conditions that lead to the slope failure.
2. Chrin should add the current permitted grades to the cross sections views of their plan set, to more clearly show the increase in height associated with the proposed expansion project.
3. Only two cross sections were provided with Form 6, Chrin should provide additional geologic cross sections that cover the site.

Comments related to the Form D – Environmental Assessment

1. **Exclusionary Criteria – Wetland:** 25 Pa. Code §273.202(a)(2)(ii) states for a new municipal waste landfill permitted on or after December 23, 2000, the landfill may not be operated in or within 100 feet of a wetland. Chrin indicated this is not applicable because the landfill was permitted prior to December 23, 2000. Although the Chrin Landfill was permitted prior to this date, this application includes a lateral expansion area beyond the original permit boundary; therefore, this condition is applicable and Chrin should evaluate whether there are wetlands present within 100 feet of the expansion area.
2. **Exclusionary Criteria – Limestone or Carbonate Formation:** 25 Pa. Code §273.202(a)(7) states a municipal waste landfill may not be operated in areas underlain by limestone or carbonate formations where the formations are greater than 5 feet thick and present at the topmost geologic unit. DEP has contracted with a third party to evaluate geology at the landfill. This review is currently ongoing. DEP cannot fully evaluate whether this criteria is met until the review by the third party consultant is finished.
3. **Exclusionary Criteria – Occupied Dwelling:** 25 Pa. Code §273.202(a)(9) states for a permitted municipal waste landfill where the applicant owned the land on which the expansion would operate on or before December 23, 2000, the expansion may not be operated within 300 feet measured horizontally from an occupied dwelling and the

disposal area may not be within 500 feet measured horizontally from an occupied dwelling.

Based on review of the maps provided with the application the occupied dwelling located at 495 Spring Valley Road, owned by James R. and Fay Boylan, is within 300 feet of the proposed boundary of the expansion. Chrin has indicated the boundary for the expansion will be adjusted to be greater than 300 feet from this home. Revised maps/figures showing the new boundary should be provided.

4. **Exclusionary Criteria – Airport:** Chrin has not demonstrated that the proposed expansion meets the exclusionary criteria defined in 25 Pa. Code §273.202(a)(16) relating to airport navigable airspace.

The application included the notifications made to the Federal Aviation Administration (FAA) and PA Department of Transportation (PADOT) Bureau of Aviation. The notifications did not include the height of any temporary equipment necessary to construct and operate the landfill. Chrin must resubmit the determination request to FAA considering the height of heavy equipment, tippers, etc., as well as to PADOT to confirm that the expansion will meet the exclusionary criteria. Chrin must provide documentation from the FAA and PADOT demonstrating that the expansion meets the exclusionary criteria for airports as described in 25 Pa. Code §273.202(a)(16).

5. **Exclusionary Criteria – Water Source:** 25 Pa. Code §273.202(a)(17) states a permitted municipal waste landfill may not operate disposal, processing and storage areas within ¼-mile upgradient and within 300 feet or 91.4 meters downgradient, of a private or public water source.

Based on location and groundwater flow direction, no private wells are expected to be impacted by the expansion. However, if Chrin has received a response to the DEP Safe Drinking Water Program notification letter included with the application, a copy of that response should be provided.

6. **Form D, Section A - Geologic:**

Question 1: The application states the landfill is located in an area with a 2% or greater probability that a maximum horizontal acceleration will exceed 0.13g in 50 years based on 2002 mapping by the United States Geologic Survey (USGS). Chrin should use the more recently updated 2014 USGS maps to determine the maximum horizontal acceleration.

Question 2: Form 24, Attachment 24-10 states there is a potential for waste from the original unlined landfill to exist below the proposed mechanically stabilized earthen (MSE) berm footprint. There is also a concern in this area with the thickness of the saprolite. Chrin needs to conduct additional borings in the berm area to verify if waste is present and to verify the thickness of the saprolite.

7. Form D, Section B - Scenic Rivers:

Questions 1-10: The landfill is located in the upstream drainage area that flows to the Lower Delaware River, a National Wild and Scenic River. Responses in this section reference communication with the U.S. Department of Interior and PA Department of Conservation and Natural Resources (DCNR); however, no documentation of this communication was provided. If responses from the U.S. Department of Interior and PA DCNR have been received copies should be provided.

Questions 11-12: The application does not take into consideration the volume control or water quality treatment requirements of Chapter 102. A volume control requirement is essential to mitigate the consequences of increased stormwater runoff. Chrin should provide the post construction stormwater management (PCSM) Best Management Practices (BMPs) to mitigate potential volume and water quality impacts consistent with the requirements of DEP's Chapter 102 regulations. The PCSM plan must be accompanied with a schedule to install any post construction stormwater BMPs.

8. Form D, Section D – Parks:

Question 1: The project is located within one mile of several local and municipal parks and the Delaware and Lehigh Natural Heritage Corridor which is a unit of the National Park System. Attachment D-2 contains a letter to the U.S. Army Corps of Engineers; if a response to this letter has been received it should be provided.

No traffic analysis was provided. DEP's Technical Guidance Document No. 254-2100-102 states the Department is to review traffic conditions at least every 5 years and revisions to the facility's traffic plan may be necessary based upon changes to highway, bridge or traffic conditions caused by operation of the facility or other factors not associated with the facility. Although a traffic study was conducted in 2004 and there is no proposed change to the waste acceptance rate with this application, a current traffic study should be conducted as there have likely been changes to traffic in the area since 2004. The traffic study should also consider the potential for traffic impacts associated with construction activities for the expansion.

The visual analysis provided with the application incorrectly states the landfill is not visible from several parks where it is in fact visible. Specifically, DEP staff was able to view the landfill from St. Joseph Street Park, Pioneer Park, Hugh Moore Park, Heil Park, Poswistilo Pavilion, Riverview Park, Woodridge Falls Open Space and Mine Lane Road Open Space. Chrin should provide an updated accurate visual analysis and also describe any plans for mitigation of visual impacts from the expansion.

9. Form D, Section E - Fish, Game, and Plants:

Question 9: The facility is located within one mile of the Lehigh River. No traffic analysis was provided. As stated above, a current traffic study should be conducted as there have likely been changes to traffic in the area since 2004. The traffic study should

also consider the potential for traffic impacts associated with construction activities for the expansion.

10. **Form D, Section G – Recreation:** Chrin indicated there will be no changes to the visual characteristics of the project area within view of recreational areas or facilities within one mile of the landfill. Chrin also states that there will be no changes in traffic patterns or increase in traffic as an increase to the waste acceptance rate is not proposed. As stated above, a current traffic study should be conducted as there have likely been changes to traffic in the area since 2004. The traffic study should also consider the potential for traffic impacts associated with construction activities for the expansion.

An additional recreation facility, the Morgan Hill Golf Course, is located within one mile of the proposed project. Chrin needs to address potential impacts to the golf course in this section.

11. **Form D, Section H – Historic:** A copy of the letter Chrin sent to the Pennsylvania Historical and Museum Commission, Bureau for Historic Preservation (PHMC) was included; however, no response to this letter was provided. If a response has been received from the PHMC, it should be provided.

12. **Form D, Section I – Airports:**

Question 2: The project is located within 6 miles of an airport runway. The application included the notifications made to FAA and PADOT Bureau of Aviation; however, responses from these agencies were not provided. Please provide copies of the response received to each notification.

13. **Form D, Section J – Traffic:** A traffic study was conducted in 2004 for the then pending transfer station expansion at the landfill. As stated above, a current traffic study should be conducted as there have likely been changes to traffic in the area since 2004. The traffic study should also consider the potential for traffic impacts associated with construction activities for the expansion.

HARMS/BENEFITS REVIEW COMMENTS

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

Harms

1. **Property Values: (SE)** Effects on property values is a potential harm of a landfill operation.

Proposed mitigation: The landfill and expansion area are within an area designated as a Landfill Zoning District by the Township. In connection with that zoning designation, specific setback distances and other protective measures were established to reduce adverse impacts to properties in the surrounding area. Chrin has also agreed to install

various landscape and screening measures to further remove or minimize impacts to surrounding areas. Chrin has concluded that the proposed expansion will have no negative impact on property values in the surrounding community.

DEP review: Property devaluation is difficult to prove because of the many factors that affect the value of a property, perception being one of those factors. According to public comments received, some local residents believe that property values would decrease if the landfill were expanded; however, the landfill is an existing facility that has operated at the present location since 1955. Residential development around the landfill has occurred despite the presence of the landfill, demonstrating that the landfill did not deter the sale of existing homes, or the construction of new residential development nearby. However, because the proposed landfill expansion will be closer to nearby residential development, the expansion could potentially impact property values. Chrin must consider and define the potential impact that the expansion of active operations closer to residential areas may have on property values and propose appropriate mitigation measures if necessary.

2. **Aesthetics/Community Character: (SE)** The landfill is prominent from the adjacent Route 78 travel lanes, and has been unmistakable as a fixed industrial operation within an industrial portion of the local area for many decades. Public comment indicates visual impacts are a concern, specifically the use of white temporary capping materials and the MSE wall.

Proposed mitigation: The proposed expansion does not meaningfully increase the visibility of the landfill. The height of the proposed expansion has been limited pursuant to the Host Community Agreement.

DEP review: Visual impacts are a potential harm associated with landfills. Chrin's current practice of using white temporary capping materials as a cover material may not be aesthetically pleasing. Chrin should evaluate whether there are better alternatives that can be used for future temporary capping projects. Furthermore, Chrin should indicate whether any additional measures to mitigate visual impacts will be used such as accelerated capping or landscaping/vegetation on the MSE wall. Chrin should provide more detail regarding all landscaping plans at the site and include a rendering of what the MSE wall will look like. As stated in the general comments, Chrin should also add the current permitted grades to the cross section views of their plan set, to more clearly show the increase in height associated with the proposed expansion project.

3. **Public Health and Safety: (E)** Public comment indicates impacts to the health and safety of the surrounding population is a concern.

Proposed mitigation: The landfill is designed and operated to meet or exceed all applicable state and federal rules and regulations governing municipal waste landfills. A 2009 air emission study concluded that there was no risk to the surrounding community due to air emissions from the site. In 2013, a review of the geology of the site by a

consultant selected by the Township concluded that the site is underlain by non-carbonate highly weathered unconsolidated saprolite.

DEP review: DEP's experience based on regular inspections performed by DEP engineering staff at Chrin is that the facility is designed, constructed and operated to be protective of public health and safety. DEP concurred with the 2009 air emission study. Site geology is addressed in other sections of this review. A more detailed review regarding facility operations and site geology for the expansion will also be conducted as part of the technical review. Specific potential impacts from the landfill are discussed individually below.

4. **Environmental Justice Community Impacts:** According to DEP's Environmental Justice (EJ) Policy a portion of Easton (located to the north of the landfill) is designated as an EJ community.

Proposed mitigation: Chrin indicated the expansion of the landfill does not present a potential harm to an EJ community.

DEP review: The fact that a portion of Easton is an EJ community is not a "harm" in and of itself. The EJ designation is an internal DEP policy to address education of these communities about pending projects in their vicinity. DEP followed its policy by conducting additional outreach and public meetings. Potential impacts from the landfill are discussed individually.

5. **Uncompensated losses to local government: (SE)** Chrin identified more frequent road maintenance as a potential harm of the project.

Proposed mitigation: Chrin indicates the host fees paid under the Host Community Agreement is enough to cover the cost of maintenance and repair of all roadways in the Township.

DEP review: DEP has limited information to evaluate the adequacy of the proposed mitigation. The host fees are not restricted for a certain purpose so it would be up to the Township to choose to use the fees towards road maintenance. Chrin should provide the frequency and scope of work/repair that Williams Township must undertake to maintain the roads impacted by the landfill and the cost of this maintenance.

6. **Quality of Life within the Local Area: (SE)** Impacts to quality of life in the surrounding community is a potential harm of a landfill operation. Public comment indicates this is a concern.

Proposed mitigation: Chrin indicates the benefits proposed in this application enhance the quality of life in the surrounding community. As a result, the proposed expansion of the existing landfill does not present a potential harm associated with the quality of life within the local area.

DEP review: Potential impacts from the landfill that could affect the quality of life in the surrounding community are already discussed individually in this section.

7. **Local Economy: (SE)** Impacts to the local economy is a potential harm of a landfill operation.

Proposed mitigation: Chrin states the landfill does not negatively affect the local economy and instead has a positive effect through purchases of local and regional goods, services and supplies.

DEP review: DEP has not been presented with any evidence of negative economic impacts directly related to the project.

8. **Quality of the Surrounding Environment: (E)** Impacts to the surrounding environment is a potential harm of a landfill operation.

Proposed mitigation: The landfill is designed and operated to meet or exceed all applicable state and federal rules and regulations governing municipal waste landfills. The facility is located within the Township's recently established Solid Waste Zoning District, which contains a variety of specific provisions designed to prevent harm to the quality of the surrounding environment.

DEP review: Mitigation efforts for specific potential harms that could impact the surrounding environment are discussed individually in other parts of this review.

9. **Litter: (E)** On and off-site litter is a known potential harm of a landfill operation.

Proposed Mitigation: Chrin undertakes numerous measures to minimize and control litter. These mitigation measures include: keeping the working face as small as possible, prompt placement of daily and intermediate cover, use of fences and mesh, daily inspections of the site, the use of tarps on open trucks, compaction requirements for disposal trucks and the use of water, low contact precipitation or leachate as needed.

DEP Review: On and off-site litter is a known potential harm of landfill operations. Chrin's mitigation measures have generally been effective at preventing litter from being unsightly or leaving the site. The 2011 Nuisance Minimization and Control Plan (NMCP) included a statement that in extreme cases of high winds the landfill would close. This appears to have been taken out of the NMCP submitted with this application. The NMCP should make considerations for all adverse weather conditions.

10. **Vectors: (E)** Attraction of vectors is a known potential harm of a landfill operation. Public comments indicate that there is a concern about birds that visit the landfill.

Proposed Mitigation: Proper operational procedures and placement of daily, intermediate and final cover minimizes the attractions and breeding of vectors.

Inspections and observations will determine if additional corrective action is required and Chrin will contract with a licensed extermination service if necessary.

DEP Review: This is a known potential harm of landfill operations. DEP has observed populations of birds frequenting the landfill. Chrin should provide more detail on the specific methods they are currently using to prevent birds from frequenting the landfill and whether they are planning any additional mitigation measures.

11. **Odors: (E)** Off-site odors are a known potential harm of a landfill operation.

Proposed Mitigation: Chrin's primary system for controlling odors is the active landfill gas collection and control system. In addition, Chrin employs various other odor control measures including but not limited to the use of deodorizing misters, odor mister vehicles, proper placement of daily cover, vehicle inspections for proper tarping and cleanout, leachate seep monitoring and control and prohibiting open burning.

DEP Review: Odors are a potential harm for any landfill facility, particularly where the landfill is situated in close proximity to residential areas. A more detailed review of the landfill gas collection and control system will be conducted during the technical review. DEP's experience based on inspections and complaint investigations at Chrin is that the proposed mitigation has generally been successful; however, there have been occasions when there were odors. Public comment indicates that there are frequent odors. Based on a review of DEP's records, there has been a steady decrease in odor complaints over the last five years. During an odor complaint investigation by DEP on December 8, 2015 the landfill was found to be in violation for failing to operate their odor control misters in accordance with their NMCP. All misters were repaired and operational by December 9, 2015.

The expansion project includes a waste excavation and relining project. Exhuming waste will increase the potential for off-site odors and Chrin should provide a plan detailing additional odor mitigation for this phase of the project.

12. **Dust: (E)** Dust is a known potential harm of a landfill operation.

Proposed Mitigation: Chrin will use a sweeper vehicle to clean the paved access roads and a water tank truck to apply water to the landfill roads to minimize fugitive dust generation. Dust suppressants can be applied if needed as well. A section of the access road will be large size aggregate to reduce the tracking of mud and other debris from the landfill. A speed limit of 15 mph will be imposed on all vehicles on the site. The revegetation of the landfill slopes will minimize dust generation during wind storms.

DEP Review: This is a known potential harm of landfill operations. Chrin's mitigation measures have generally been effective at preventing off-site dust.

13. **Noise: (E)** Off-site noise is a known potential harm of a landfill operation. Public comments indicate there is a concern with noise from blasting to deter birds at the landfill.

Proposed Mitigation: Chrin's mitigation measures to minimize noise include: ensure all vehicles are equipped with the proper muffler systems and functioning properly; onsite speed limit of 15 mph; and operating vehicles according to the manufacturers operating instructions.

DEP Review: This is a known potential harm of landfill operations. Chrin's mitigation measures have generally been effective at preventing nuisances from noise. However, the updated NMCP submitted with this application appears to be missing the section detailing isolation and absorption mitigation efforts to reduce noise impacts. Section 4.5 of the NMCP should be updated accordingly. Chrin should also provide more information on the blasting practices for bird control (i.e., what type of device is used and how often do the blasts occur).

14. **Unsafe Vehicles: (SE)** The potential for unsafe and/or overweight vehicles is a known potential harm of a landfill operation.

Proposed mitigation: Chrin did not identify this as a harm or propose mitigation.

DEP review: Chrin should address this potential harm.

15. **Fire Risk: (E)** The risk of subsurface fires is a known potential harm of a landfill operation.

Proposed mitigation: Chrin did not identify this as a harm and has not proposed mitigation.

DEP review: Chrin should define the potential for these incidents, Chrin's measures to monitor for and to minimize this risk, and the actions Chrin would employ to mitigate a subsurface fire or reaction should one occur and include these measures in the NMCP.

16. **Groundwater Impacts: (E)** Groundwater impacts are a known potential harm of a landfill operation. Public comment indicates that groundwater impacts are a concern of those living in the vicinity of the landfill. There is groundwater contamination in the area associated with a superfund site located under and adjacent to the landfill.

Proposed mitigation: Chrin did not identify this as a harm in the Harms vs. Benefits analysis; however, the application does include the required technical information related to preventing groundwater impacts from the landfill (hydrogeologic information, groundwater monitoring, liner system, leachate control, etc.).

DEP review: The Chrin Landfill uses a double liner and associated leachate collection system to prevent the release of leachate to the groundwater. These systems composed of

primary and secondary liners and drainage layer systems, collects, and removes leachate from the landfill. A leachate detection zone monitors whether leachate is getting through the primary liner. 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 Chrin's current municipal waste landfill operation is impacting groundwater. DEP will more fully evaluate Chrin's proposed designs and monitoring plans during the technical review.

There is existing contamination from the Industrial Lane superfund site which is a historic unlined landfill that Chrin took over and closed. Chrin operates the current landfill above and adjacent to this superfund site. The contaminants of concern are volatile organic compounds (VOCs) vinyl chloride, trichloroethene, perchloroethene, and benzene from the past disposal activities. A groundwater treatment system has been operating since 1999 to address this contamination. Groundwater monitoring, private well monitoring and landfill closure maintenance activities are routinely conducted and reported to DEP and the U.S. Environmental Protection Agency (EPA). The properties affected by the groundwater contamination associated with this superfund site are serviced by public water.

17. **Slope failure: (E)** On March 12, 2013 a slope failure occurred in the closed and capped Stage 3D and 3E portions of the landfill. Public comment indicates that there is a concern that additional slope failures could occur at the site in the future.

Proposed mitigation: Chrin did not identify this as a harm. Work is ongoing to remove the material and reconstruct the area affected by the slope failure. Chrin installed a system to detect any additional soil movement and none has been detected since the incident occurred. On July 15, 2014, Timothy Stark, Ph.D., P.E., of Stark Consultants Inc. (SCI), submitted a report entitled "Slope Failure Report: March 12, 2013 Chrin Brothers, Inc. Landfill Slope Failure" (Stark Report) that was prepared for Chrin. On September 30, 2014 Chrin submitted a minor permit modification application for the reconstruction of the Stage 3D and 3E area. This application is still pending.

DEP review: Chrin should identify and address this potential harm. Chrin is still working on relocating the waste and continues to evaluate the slide area. DEP contracted with a third party consultant to evaluate the Stark Report, data collected during removal of waste from the slide area and the application for reconstruction. This review is currently ongoing. While the March 2013 slope failure is believed to be an isolated incident, the DEP cannot fully assess the risk for future occurrences or complete the review of the application to reconstruct the Stage 3D and 3E area until the technical review by the third party consultant is finished and all concerns are adequately addressed. As stated in the general comments, DEP cannot fully evaluate and approve an overlay in the slide area or any areas where liner replacement is proposed until these areas are fully evaluated by both Chrin and DEP's third party consultant and a reconstruction application is approved.

Benefits that will be considered in the analysis

1. **Recycling Drop Off Containers: (SE)** Chrin provides a host community recycling center on site for use by the local population to promote and encourage recycling.

DEP review: Chrin characterized this benefit as an environmental benefit; however, DEP believes that the recycling drop off containers is more appropriately characterized as a Social and Economic benefit because Chrin is providing the monetary benefit of free disposal. 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. [Berks County v. Department of Environmental Protection, 894 A.2d 183(Pa. Cmwlth. 2006)]

Benefits that require additional information to be considered in the analysis

1. **Benefits to Local Businesses: (SE)** Chrin has indicated that ongoing operations and construction at the facility will provide significant direct commerce and associated expenditures, salaries, real estate and personal income tax revenue, as well as fees to the local municipality and to the state. Additionally, Chrin customers, employees, consultants, contractors, vendors and visitors patronize local businesses and service providers; thereby further contributing to and enhancing local commerce through indirect and induced economic stimulation.

DEP review: Property taxes are paid by any land owner and with or without the expansion Chrin would have to pay property taxes based on the value of the acreage of property that Chrin owns. Chrin should provide information that quantifies the value of the Chrin property with and without the expansion. Only the increased tax revenue caused by the expansion may be considered as a benefit. Salaries and income taxes are included with the benefits to local employment category. Fees to the local municipality and state should be considered under the benefits to local government category. Direct commerce expenditures are considered to be a Social and Economic benefit of the project. Chrin should provide the specific economic impact amount related to direct commerce expenditures in order to clearly define this benefit. Chrin customers, employees, consultants, contractors, vendors and visitors patronizing local businesses and service providers can only be considered to be a Social and Economic benefit of the project if Chrin can provide more detailed information. Specifically, Chrin needs to identify the specific jobs/goods affected and clearly demonstrate that without the expansion project there would be less jobs and/or less goods/services purchased.

2. **Benefits to Local Employment: (SE)** Chrin has identified employment and taxes associated with the project as a Social and Economic benefit. Chrin provides direct employment for an operational staff of about 33 people. Capital expenditures provide employment for another 122 people.

DEP review: The direct employment (33 jobs) and the associated tax revenue are considered to be a Social and Economic benefit of the project. Chrin should provide the specific economic impact amount related only to direct employment in order to clearly

define this benefit. Capital expenditures providing employment are indirect/induced benefits and are not considered as benefits of the expansion.

3. **Benefits to Local Residents and Local Government: (SE)** Williams Township, the host community for Chrin, will receive benefits from the continued operation of the landfill. The Township will have a local facility capable of handling the municipal and residual waste disposal needs of its residents, businesses and industries. The Township will receive a host benefit fee in the amount of \$4.00/Ton for municipal solid waste with the approval of the proposed expansion. The Township would receive approximately \$700,000 a year of unencumbered funds and amounts to over 20% of the total Township operating revenue.

DEP Review: Additional capacity at a local facility in and of itself is not considered to be a benefit. Chrin has not demonstrated the need for additional waste capacity in Williams Township. In order for this to be considered to be a benefit, Chrin must demonstrate that an actual hardship to the local community, considering alternatives to eliminate any hardships, will exist if the expansion project is not permitted.

The host fees are based on tonnages and are paid on a quarterly basis and there is no guaranteed minimum amount. This is considered to be a Social and Economic benefit for the life of the project.

4. **Benefits Based on Demographics: (SE)** Chrin supports many community activities through involvement and direct financial support. Chrin also supports many environmental education efforts. Furthermore, Chrin's support of the community also includes many free waste and recycling services such as providing a free outlet to Township residents for waste tires and leaf wastes, donating free waste and recycling containers, hauling and disposal service to Williams Township and making available to area residents free high-quality landscape mulch.

DEP review: Financial support to various community organizations are considered to be charitable contributions and as such are not considered to be benefits of the project. [Berks County v. Department of Environmental Protection, 894 A.2d 183(Pa. Cmwith. 2006); Eagle Environmental II, L. P. v. Department of Environmental Protection, 884 A.2d 867(Pa. 2005)]. Only environmental education efforts related to the landfill's operation (i.e., exhibiting at the regional environmental Expo) will be considered a benefit of the project. Any environmental education efforts need to be clearly defined and details provided to be considered a benefit. Donations and sponsoring education events are considered to be charitable contributions and as such are not considered to be benefits of the project. Because the free waste and recycling described are services that the local community would not continue to receive without the expansion, these are Social and Economic benefits for the life of the project.

Benefits that will not be considered in the analysis

1. **Conservation Easements:** Pursuant to the Host Community Agreement with Williams Township, upon approval of the proposed expansion, Chrin will execute documents agreeing to never develop land on two tracts totaling approximately 76 acres. The Economic Impact Report provided with the application valued the easements at \$72,000 per year and \$3,600 per year (\$1,637,000 and \$82,000 over the 38.7 years of site life and post-closure).

DEP review: Conservation easements are not a direct benefit of the project itself. DEP's Technical Guidance Document No. 254-2100-101 states that an activity or mechanism which reduces or prevents harm created by the facility does not amount to a benefit. The conservation easements are mitigation of the potential harm to aesthetics/community character.

2. **Beneficial Use of Landfill Gas:** Chrin provides landfill gas to the Chrin Energy Park, transforming methane gas into electricity. Providing the gas to the Energy Park also supports five jobs.

DEP review: Landfills are required to control gas that is generated by operation of their facilities. DEP's Technical Guidance Document No. 254-2100-101 states that an activity or mechanism which reduces or prevents harm created by the facility does not amount to a benefit. Beneficial reuse of landfill gas is mitigation of gas that is created by the landfill and an expected business practice and as such is not considered to be a benefit of the project. The jobs created through operation of the Chrin Energy Park are an indirect benefit and cannot be considered a benefit of the project. The jobs already exist and the Chrin Energy Park will continue to operate regardless of the expansion.

3. **Benefits to Local Economy:** The continued operation of the landfill will result 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.

DEP review: Purchases of local and regional goods, services and supplies appears to have already been covered under Benefits to Local Businesses.

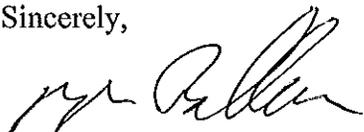
4. **Benefits from Host Agreements:** In addition to the conservation easements and host fees, the Host Community Agreement also requires Chrin to construct a recreation facility on approximately 12 acres of its Wotrings Mill property, for the use by the Township residents and area sports clubs, upon approval of the expansion project. Additionally, the agreement provides a variety of other social and economic benefits to the Township and its residents including establishing covenants against use of various adjacent landfill owned parcels for landfill activities, imposing additional setback distances from landfill site property lines, setting special requirements for screening and

landscaping along landfill properties, and establishing a landfill committee and requirements for cooperation.

DEP review: DEP's Technical Guidance Document No. 254-2100-101 states that an activity or mechanism which reduces or prevents harm created by the facility does not amount to a benefit. The covenants against use, setback distances and screening and landscaping requirements are mitigation of visual and nuisance-type harms associated with the landfill and therefore not considered to be a benefit of the project. The recreation facility and the landfill committee are mitigation of the potential harm to aesthetics/community character.

The Department is requesting Chrin to provide a revised application within 90 days. Chrin should include additional information as identified and clarify any issues that it feels the Department does not view correctly. A public hearing will be scheduled after receipt of your response to this letter. If you have any questions, please contact me at the above referenced address or telephone number.

Sincerely,



Roger Bellas
Program Manager
Waste Management Program

cc: EarthRes Group, Inc.
Williams Township
Northampton County Council
Lehigh Valley Planning Commission
City of Easton
Easton Area Neighborhood Center
Easton Area Public Library

bcc: J. Spaide/WM File
R. Bellas: email PDF
S. French: email PDF
T. McGurk: email PDF
E. Bloxham: email PDF
M. Bedrin
C. Connolly

EB: ck

WP: W2-138.doc

H: 6/13/16; T(6/13/16):