

May 17, 2018

Leslie Huhn  
Lower Saucon Township  
3700 Old Philadelphia Pike  
Bethlehem, PA 18015

Re: IESI PA Bethlehem Landfill  
Solid Waste Management Permit No. 100020 & Title V Permit #48-00027  
Response to Notices of Violation

Dear Leslie:

The purpose of this letter is to respond to the recent Notices of Violation (NOV's) received by IESI PA Bethlehem Landfill (IESI) from the Pennsylvania Department of Environmental Protection (PADEP) on May 7, 2018 where IESI was found to be in violation of conditions in IESI's Solid Waste Management Permit NO. 100020 and Title V Permit # 48-00027. Since the original inspections on April 18, 2018, IESI has been addressing each of the 8 violations that were noted in the NOV letters and inspection reports. Below, you will find each of the violations along with the corrective actions that IESI is taking as well as a timeline that is in place to correct each of these violations:

Solid Waste Management Permit No. 100020

1. Violation – *“IESI failed to perform regular, frequent and comprehensive site inspections to evaluate the effectiveness of cover, capping, gas collection and destruction, waste acceptance and all other waste management practices in reducing the potential for offsite odor creation, in violation of 25 Pa. Code §§ 273.201(c)(2) and 273.218(b)(2) and Solid Waste Management Permit No. 100020 Part II Section II Condition 8.b. Specifically, site inspection logs did not include all observable leachate seeps identified during the Department’s April 18, 2018 inspection.”*

**S**  
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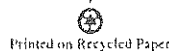
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- Landfill

Response – IESI is working internally on modifying a daily site inspection log that will include items, such as leachate seeps. The document is currently in use. However, changes will be made in order to make it as simple but detailed as possible. In addition to this, IESI will continue to perform and document the weekly environmental compliance inspection. Daily and weekly inspections will address both the findings and corrective actions.

2. Violation – *“IESI failed to promptly address and correct problems and deficiencies discovered in the course of inspections performed under 25 Pa. Code § 273.218(b)(2), in violation of 25 Pa. Code §§ 273.201(c)(2) and*

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*273.218(b)(3) and Solid Waste Management Permit No. 100020 Part II Section 8.b. Specifically, at least one leachate seep was noted during the Department's February 13, 2018 inspection which was not addressed prior to the April 18, 2018 inspection."*

Response – IESI has addressed the leachate seep that was noted in the February 13, 2018 and the April 18, 2018 inspection. The implementation of the updated daily site inspection log and the continuation of the weekly environmental compliance inspection will address any corrective action that would be needed onsite.

3. Violation – *"IESI failed to implement the Nuisance Minimization and Control Plan to minimize and control conditions that are harmful to the environment or public health, or which create safety hazards, odors, dust, noise, unsightliness and other public nuisances, in violation of 25 Pa. Code §§ 273.201(c)(2) and 273.218(c) and Solid Waste Management Permit No. 100020 Part II Section 8.b. Specifically, IESI did not minimize and control potential sources of public nuisances, issues including leachate seeps, inadequate cover, flagging, odors and surface emissions identified during the Department's April 18, 2018 inspection."*

Response – All leachate seeps noted by the PADEP have been addressed by IESI. The areas of concern have been excavated and backfilled with stone in an effort to create a preferential pathway for the leachate to drain back into the landfill and make its way into the landfill leachate collection system. Please see the response for Violations 4 and 5 which address inadequate cover and flagging as well as the response for Violation 6 which addresses odors and surface emissions.

4. Violation – *"IESI failed to maintain a uniform intermediate cover that prevents odors, litter and other nuisances, in violation of 25 Pa. Code §§ 273.201(c)(2) and 273.233(b)(1) and Solid Waste Management Permit No. 100020 Part II Section III Condition 3.b. Specifically, objects protruding through the cover and strong gas odors were observed in the cover area along the northern slopes of the landfill."*
5. Violation – *"IESI Failed to maintain a uniform twelve (12) inch thick layer of intermediate cover, in violation of 25 Pa. Code §§ 273.201(c)(2) and 273.233(c)(1) and Solid Waste Management Permit No. 100020 Part II Section III Condition 3.a. Specifically, areas of exposed waste were observed, including objects protruding through the cover along the north slopes, and areas of exposed waste in "low areas" surrounding gas wells EW 4-48 and EW 4-33R."*

Response – Immediately after the inspection on April 18, 2018, IESI began cleaning up the top deck and side slopes of the landfill of any material that had been pushed off over the course of the winter and early spring to clear the way for landfill traffic. IESI is bringing in additional approved screened clean fill from Bayshore Recycling, as weather permits. With the additional clean fill, IESI is cleaning, reshaping, and recovering the areas that PADEP had identified in the April 18, 2018 inspection and placing the intermediate cover back to the required 12" or more. The bulk of these efforts are being done in house by IESI, but IESI has contracted with Kinsley Construction, who is working on the Cell SE-1A construction, to assist when needed. Also, IESI is utilizing additional temporary labor to help clean up the side slopes of any flagging or blown litter.

6. Violation – *"IESI failed to implement the gas control and monitoring plan approved under 25 Pa. Code §§ 273.171 (relating to the gas monitoring and control plan), and failed to effectively monitor gas collection for nuisance potential, in violation of 25 Pa. Code §§ 273.201(c)(2) and 273.292(a) and Permit 100020 Part III Section I*

*Condition VII-1. Specifically, methane exceedances and gas odors were identified by the Department's Air Quality Program during the April 18, 2018 inspection at gas wells, leachate seeps, cover protrusions, and general surface cover areas."*

Response – PADEP found 19 surface emission exceedances while onsite on April 18, 2018. At that time, a main gas header running along the south side of the site was watered in. IESI has been using pumps as well as an outside contractor to keep that line clear of landfill gas condensate. However, the pump that was being used stopped working which allowed the pipe to fill up with landfill gas condensate and restrict flow to both the BRE gas-to-energy plant and the flare. When this happened, IESI saw a drop of ~500 scfm in total landfill gas flow. After the inspection, the line was cleared out twice a week by the outside contractor. The surface emission exceedances were rechecked on April 27, 2018 by SCS Engineers with only 4 surface emission exceedances. SCS Engineers rechecked again on May 5, 2018 with only 1 surface emission exceedance.

In addition to this ongoing maintenance, IESI contracted American Environmental Group (AEG) to replace this ~400' stretch of 12" header that keeps watering in. The construction will consist of drilling 4 new vertical wells, 8 vertical redrills, ~1200' of new 12" header, and installing dewatering pumps, where needed, along with air and forcemain. All of the wells have been drilled, and the ~400' stretch of gas header has been replaced. The total project should be completed by the end of June which is dictated by AEG's schedule. However, the major items that led to this violation have been addressed.

#### Title V Permit #48-00027

1. Violation – *" IESI operated an air contamination source in a manner inconsistent with good operating practices, in violation of TV Permit #48-00027, Section B, Condition #007 and PA Code § 127.444. Specifically, IESI failed to implement the GCCS."*
2. Violation – *"IESI failed to report an incident of visible emissions to the Department within four hours of the incident and make arrangements for a certified observer to verify the opacity of the emissions, in violation of TV Permit #48-00027, Section C, Condition #010 (a) (2)."*

Response – The air contamination source and visible emissions that PADEP are referring to were from the 4,000 SCFM flare that IESI has onsite. During startup, the flare's louvers have not been adjusting properly due to a programming issue. These flare louver malfunctions led to the visible emissions that were observed by IESI on April 2, 2018. As mentioned in an email to Jessica Wagoner, with the PADEP, on April 27, 2018, the event was controlled and documented in accordance with IESI's SSM plan and will be included in the next semi-annual report as required. The intent of the 4-hour notification timeline is so that a certified Method 9 observer can document the flare opacity. This would not have been possible seeing that the issue was corrected within the 4-hour notification timeline with no visible emissions to be observed. IESI has data that shows this issue was corrected in a timely manner and provided that to Jessica Wagoner in the email on April 27, 2018.

Moving forward, IESI will notify the PADEP within the 4-hour notification timeline if a certified Method 9 observer is not onsite at the time of the event. Since this violation took place, IESI is working on two main corrective actions. First, IESI has contracted with EarthRes to reprogram the flare in an effort to eliminate the flare louver malfunctions. EarthRes has made some changes to the flare programming that has shown positive results. The last step is to see how these changes affect the flare louvers during startup. EarthRes is continually

monitoring for corrective actions to the flare programming. Second, IESI will have employees trained offsite as Method 9 observers by the end of the year 2018.

IESI takes pride in Bethlehem Landfill and looks forward to future inspections that will show the PADEP the ongoing efforts that are taking place, being in compliance with all PADEP and EPA regulations and staying true to the IESI PA Bethlehem Landfill Operating Values: Safety, Integrity, Customer Service, To Be A Great Place To Work, and To Be The Premier Waste Services Company In North America.

If there are any questions or concerns, please feel free to reach out at (610) 317-3200.

Sincerely,

A handwritten signature in black ink, appearing to read "David Pannucci", written in a cursive style.

**David Pannucci**  
**Regional Engineer**