



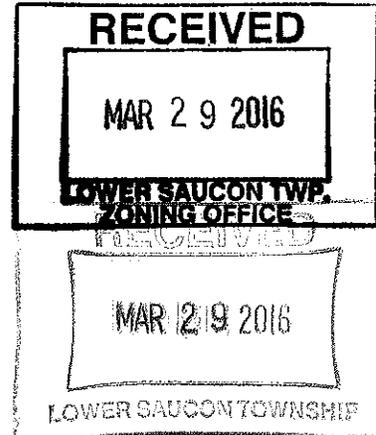
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March 29, 2016

Lower Saucon Township
Attn: Ms. Leslie Huhn, Township Manager
3700 Old Philadelphia Pike
Bethlehem, PA 18015



RE: IESI PA Bethlehem Landfill
Southeastern Realignment
Preliminary/Final Land Dev. Plan
Township #LD 01-15
Our file: b/1162.3/LDP/RL2.18-19.16

Dear Ms. Huhn:

We are in receipt of the February 18th and 19th, 2016 review letters issued by Boucher & James, Inc. and Hanover Engineering Associates, Inc. with regard to the above referenced project. Following are IESI's responses to each of the comments raised in those letters, highlighted in **bold** for ease of reference.

Boucher & James, Inc. – February 18, 2016 Letter

ROUTING

1. Condition of Prior Approval

On April 6, 2005, Lower Saucon Township Council granted Amended Land Development Plan Approval for Relocated Maintenance Facility to IESI PA Bethlehem Landfill Corp., subject to several conditions. Condition #5, as noted in the letter of approval dated April 12, 2005, states "The applicant will enter into an Agreement not to expand their Landfill beyond the limits of the existing Department of Environmental Permit." The applicant signed a certification approving and accepting the conditions noted in the approval on April 18, 2005.

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- Asst. Mgr.
- Zoning
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- Engineer
- Solicitor
- Planner
- Landfill
- EMC
- Other

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The Township should examine the relevant permits, documents, and plans referenced in this condition, as the condition may have a significant impact on the submitted application.

IESI acknowledges Condition #5 contained in the April 12, 2005 Hanover Engineering Associates, Inc. letter pertaining to the relocation of the landfill's Maintenance Building, as well as paragraph 3 of the August 31, 2005 First Modification to Land Development Agreement associated with that project. We have revised plan sheets 9, 11 and 12 of the Land Development Plan to identify the limits of the covenant area where no waste is to be placed.

2. Use

- a. ZO Section 180-80 pertains to special exception uses within the LI-Light Industrial District. The applicant is proposing an expansion of the existing facilities and an increase in the intensity of the land use. A special exception is required.

Noted. On September 16, 2015, IESI filed an application with the Lower Saucon Township Zoning Hearing Board for that approval. The Zoning Hearing Board commenced a hearing on that application on December 21, 2015, which continued on January 18, 2016 and March 21, 2016, and is scheduled to continue at the Zoning Hearing Board's meeting of April 18, 2016.

- b. ZO Section 180-102.C(2)(q) requires the copy of all required permits and supporting documents required by federal, state and local government agencies to be included in the site plan. The applicant shall provide this information to the Township, once all permits have been obtained.

Acknowledged.

- c. ZO Section 180-109.F(1)(b)[6] required the submission of all Department of Environmental Protection and other applicable agencies' permit information, including but not limited to applications, review comments, and terms and conditions

of permits. The applicant shall provide this information to the Township, once all permits have been obtained.

Acknowledged.

3. General Comments

- a. The final cover system design, as shown in the Landfill Closure Plan, consists of a total of two (2) feet of common fill and topsoil. The applicant shall discuss the proposed final cover system for the areas encompassed in the proposed plans with the Township, as these areas are not part of the prior approved plans and a new cap is

proposed. If it is determined that the final cover should include naturalized vegetation, two (2) feet of cover would not be an appropriate depth to support the growth of trees or shrubs.

No revision, final cover system is proposed as required by PaDEP, which prohibits deep rooted plantings. However, in response to a suggestion by the Planning Commission, we will be changing the final seed mix to incorporate native grasses on the closure slopes. This will be incorporated into the Form 28 - Closure Plan on the DEP Application with the Phase II responses to DEP.

- b. A detailed response letter addressing the above noted comments and any other changes to the plans should be included with future submissions.

Acknowledged.

Hanover Engineering, Inc. – February 19, 2016 Letter

A. GENERAL COMMENTS

1. The changes would allow an increase in total landfill solid waste disposal capacity, for which a Major Permit Modification would be required. The Township Technical Consultant Committee issued review comments on the proposal in a December 14, 2015 letter. Any approval by the Township should be contingent upon approval of the Major Permit Modification.

Acknowledged. Note that the December 14, 2015 letter from the Technical Consultant Committee (“TCC”) provided comments on IESI’s Zoning Hearing Application regarding the Southeastern Realignment. IESI submitted responses to that December 14, 2015 TCC letter on January 12, 2016. The TCC issued review comments on the Major Permit Modification on July 6, 2015. IESI responded to those July 6, 2015 comments in its December 28, 2015 response to the PaDEP’s EAP comment letter that was issued on October 16, 2015.

2. The Plan proposes the construction of a retaining wall along the southern access road that is approximately 65' tall. The design for this retaining wall which is certified by a Professional Engineer must be provided to the Township.

The MSE (Mechanically Stabilized Earthen) wall design is included in the DEP Municipal Solid Waste Permit Application for this project, and the revised wall design will be submitted to DEP with the Phase II resubmittal. A copy of that revised Application will be provided to the Township. The design of the MSE wall is certified by a Professional Engineer.

3. The methods of stormwater management provided (to address peak runoff rate) are

generally consistent with those of the original approval for this project. However, these methods do not appear to be consistent with the current regulations (governing runoff volume, recharge volume, and water quality).

To the extent feasible, the plans have been prepared in conformance with the current Stormwater Regulations. Where compliance is not achievable due to site constraints or existing approved conditions, waivers of those particular sections have been requested.

B. GRADING ORDINANCE COMMENTS

3. Sections 77-5.E(3)(a)[7], 7.A, J, K, 145-33.E(3), (4), (5) and 48 – See Stormwater and General/Technical Comments.

Responses are provided herein regarding stormwater management features and designs.

C. STORMWATER MANAGEMENT COMMENTS

7. Section 137-13.R — The materials submitted to obtain the NPDES Permit must be provided and be consistent with the Plans the Township approves.

A copy of the NPDES Permit Application filed with PaDEP, as well as the issued permit, has been provided to the Township. Any inconsistencies between the plans as approved by the Township and the NPDES Permit shall be addressed by filing an amendatory NPDES Permit application with PaDEP once plans have been approved.

14. Sections 137-18.C and L — The analysis which shows release rates being met assume the basin is dry at the start of the storm. Basin 2 does not dewater in eight (8) hours as required by Township regulations or three (3) days per PaDEP BMP design standards. On Page H-27 of the analysis, the draindown time from the 100-year storm is anticipated to be 17.53 days, assuming a dry basin at the beginning of the storm.

The report includes analyses of Basin 2 from a partial storage that would be expected if it had drained for 3 days from a storage depth equal to the top of the inlet. These analyses identify that the maximum release rates are not met under the partial storage condition, however determines that adequate capacity exists downstream to accommodate the increased release rate.

Acknowledged, no plan revision required.

15. Section 137-18.E — The basin analyzed (Basin 2) uses an orifice size of 2 inches rather than one meeting the minimum 3 inch orifice size required. Basin 4 uses an orifice size of 2 inches. Details for the outlet structures for the other basins have not

been provided as the Developer does not propose to change them. The Applicant seeks a waiver of the requirement similar to the previously conditionally approved with the Cell 4F Modification Plans.

Waiver requested.

18. Sections 137-18.H and L(6) — The basin is not fenced as required. The Applicant seeks a waiver of the requirement similar to the previous conditionally approved Cell 4F Modification Plans.

Waiver requested.

19. Section 137-18.I — Basin landscaping is required by this section. We defer review of the proposed Landscaping to the Township Planner.

Landscaping adjacent to Basin #2 is proposed as depicted on Plan Sheets 12 and 13 of 18 and further detailed on Plan Sheet 18 of 18. The Township Planner offered no further comment on the Basin #2 landscaping within their February 18, 2016 review letter, thus no plan revisions have been made.

21. Section 137-18.L — The basin maximum slope, storage depth, and storage duration are exceeded. The applicant seeks a waiver of the requirement similar to the previous conditionally approved Cell 4F Modification Plans.

Waiver requested.

22. Section 137-18.N — This section requires permanent detention basins to have a minimum bottom slope of 1%. Flat bottoms are only permissible for sedimentation basins and for approved infiltration basins. The plan proposes a flat bottom for Basin 2. The applicant seeks a waiver of this requirement.

Waiver requested.

26. Sections 137-19.G(8), (10), and Appendix A.B — These sections require all stormwater structures to be consistent with PennDOT Design Standards (including PennDOT Publication 408 Section 605 and Publication 72M, Standards for Roadway Construction). Most of the endwalls and detention basin outlet structures are not consistent with PennDOT standards. Concrete footers for endwalls have not been identified, as required. The Applicant seeks a waiver of the requirement for temporary erosion control structures, similar to the previous conditionally approved Cell 4F Modification Plans. Post construction design has not been provided for all basins.

Waiver requested.

27. Section 137-19.G(14) — Flow is required to be conveyed overland to the same

destination if storm sewers fail. If the C-17 end-wall is clogged, water will drain northward rather than southward to Basin 2. A waiver has been requested.

Waiver requested.

28. Sections 137-21 and 22 — Copies of all Plans and calculations submitted to other government agencies shall be submitted to the Township and shall be consistent with the design presented in the Subdivision Plan submissions to the Township.

Acknowledged.

29. Section 137-23.M — The plan shows slopes in excess of the maximum 3:1 permitted. At the southeastern corner of the site, slopes are proposed at 2:1. The grading proposed at the retaining wall is 1:6. The Applicant formerly sought a waiver of this requirement. The Applicant notes that they believe IESI has the equipment necessary to maintain this slope. It is not clear how they expect these slopes are to be maintained after active maintenance of the site has ended.

Waiver requested. As required by PaDEP and as part of the Closure Plan the Owner is required to maintain the site post closure. Thus, appropriate equipment to maintain the steep slopes will be utilized.

30. Section 137-26.C(4) — See General/Technical Comments.

No response required.

31. Sections 137-26.D, E, 34, 36, 37, 38, and 145-34.D(5) — Legal Agreements (addressing easements and maintenance responsibilities) must be addressed. The Applicant seeks a waiver of the requirement, pending satisfaction of the Township Solicitor with the post closure maintenance of the site, similar to the previous conditionally approved Cell 4F Modification Plans.

Waiver requested.

33. Sections 137-37.B and C — Easements have not been identified on and around culverts, swales, and basins as required by this section. The Applicant seeks a **waiver** of the requirement, pending satisfaction of the Township Solicitor with the post closure maintenance of the site, as previously conditionally approved with the Cell 4F Modification Plans.

Waiver requested.

34. Sections 137-Appendix I The Storm Drainage Easement Maintenance Covenant is not provided. The Applicant seeks a waiver of the requirement, pending satisfaction of the Township Solicitor with the postclosure maintenance of the site,

similar to the previous conditionally approved Cell 4F Modification Plans.

Waiver requested.

D. SUBDIVISION AND LAND DEVELOPMENT COMMENTS

1. Sections 145-19.C(4)(b),(e), (f), and 145-34.D(8) — Adequate copies of the approved Erosion and Sedimentation Control Plans and Narratives must be provided.

Acknowledged.

3. Section 145-21.B(1)(d)[7] — Comments from the Fire Chief and Police Chief should be obtained and considered.

On December 15, 2015, we received via email a memo dated August 24, 2015 with comments from the Police Chief which dealt specifically with the placement of stop signs in and around the office and main entrance area. The Southeastern Realignment proposes no modification to this area. Nevertheless, these stop signs as requested shall be placed by landfill staff as soon as possible on the existing roadways.

4. Sections 145-30 and 34.D.(6) — Insurance for the construction is required per these sections. The Applicant seeks a **waiver** of the requirement to allow use of existing liability insurance, similar to the previous conditionally approved Cell 4F Modification Plans.

An Improvements Agreement, with security, as found acceptable by the Township, shall be provided. The applicant seeks a waiver of this requirement.

Waiver requested.

5. Section 145-33.A — A separate Preliminary Plan is required. The Applicant seeks a waiver of the requirement similar to the previous conditionally approved Cell 4F Modification Plans.

Waiver requested.

6. Sections 145-33.C(1) and (2) — Some of the required existing features information has not been provided. The Applicant seeks a waiver of the requirement to not show any further detail than is currently on the plans, and to use 2013 aerial survey information.

Waiver requested.

7. Section 145-33.C(1) and (5) – The Developer has requested a Jurisdictional Determination from the Army Corps of Engineers to delineate the wetland boundary. All correspondence to and from the Army Corp of Engineers shall be furnished to the Township.

Acknowledged.

16. Section 145-33.F.(1)(a) —A plan note for drainage easements are required. The Applicant seeks a waiver of the requirement, pending satisfaction of the Township Solicitor with the post closure maintenance of the site similar to the previous conditionally approved Cell 4F Modification Plans.

Waiver requested.

17. Section 145-34.D.(5) — Agreements are required for the operation and maintenance of stormwater management facilities. The Applicant seeks a waiver of the requirement, pending satisfaction of the Township Solicitor with the post closure maintenance of the site as previously conditionally approved with the Cell 4F Modification Plans.

Waiver requested.

24. Sections 145-33.F, 34.C(8), and 34.E — All signature blocks must be properly executed (signed, sealed, and/or notarized) prior to unconditional Plan approval.

Acknowledged.

27. Section 145-45.B(3) and Appendices A-2.A and M — Sidewalk and curb are required for collector roads; neither has been proposed along Applebutter Road (a collector road).

These sections are not applicable. No curbing of or sidewalks along Applebutter Road are required for this project, as the proposed Southeastern Realignment proposes no development along Applebutter Road. The nearest area of development is over 400 feet from Applebutter Road right-of-way. Note that in connection with the Preliminary and Final Land Development Approvals for the Phase IV Expansion, requirements of Section 145-45(3) for installation of curbing and sidewalk along the property frontage on Applebutter Road were waived, provided that the Final Plan contain a Covenant notifying current or future owners of the requirement that they install, at their expense, curbing in accordance with Township specifications if and when Lower Saucon Township or PennDOT installs curbing along Applebutter Road.

28. Section 145-45.G(2) — Driveways are required to meet the minimum specifications of this section. The Applicant seeks a waiver of the requirement, similar to the previous conditionally approved Cell 4F Modification Plans.

Waiver Requested. The waiver requested pertains to Temporary Drives only.

29. Section 145-46B(3) — Drainage easements are required for stormwater conveyance. Drainage easements have not been provided over the swales, culverts, and basins. The Applicant seeks a waiver of the requirement.

Waiver requested.

31. Sections 145-51.D and E — Land dedication or fee for recreation/open space may be required per these sections; we are not aware that the Township is seeking this as the use of the property is not changing.

No response required.

33. Section 145-52.B — Street trees are required by this section, unless provided by existing vegetation. We defer review of the street trees/existing vegetation to the Township Planner.

Notations regarding street trees are provide on plan sheet 18 of 18. The Township Planner offered no further comments regarding street trees and thus no plan revision has been made.

E. ZONING COMMENTS

1. Section 180-98 — The Applicant is required to address any traffic impacts caused by the development.

The Traffic Impact Study indicates that no additional traffic will occur as the rate of refuse deliveries will not change; however, 6 days per month an additional 50 trucks per day would be added to the normal truck traffic of approximately 172 trucks entering and leaving the site. It is reported that all trucks will access and leave the site by way of Applebutter Road west of the site.

In response to the Township's earlier comments regarding construction related vehicles, Pennoni Associates evaluated the volume of vehicles necessary for development of the Southeastern Realignment. This analysis was provided within Section 3 of the Land Development Plan Supporting Documents Binder in letter form dated January 11, 2016.

Crash Histories shall be submitted / reviewed to determine any crash patterns attributable to truck traffic.

Will comply.

The adequacy of roadway signage, particularly advance warning signs for roadway curvature shall be evaluated for truck traffic along the proposed Applebutter Road Route.

Will comply.

Additional traffic concerns may be identified in the review letter from the Township Technical Consultant Committee.

Acknowledged.

The multiple submissions responding to these comments shall be consolidated into one comprehensive document.

All documents pertaining to the Traffic Analysis are contained within Section 3 of the Land Development Plan Supporting Documents Binder.

F. GENERAL/TECHNICAL COMMENTS

2. The approved Modification Plans and Land Development Plans must be consistent. Copies of the approved Modification Plans will need to be provided to the Township.

Acknowledged.

3. The narrow strip in the northeast that looped from the maintenance building to the access drive no longer connects to the access drive. The designer has indicated that the lack of completion of the narrow access strip loop is intentional.

The intent is to not have a connection between the access drives referenced.

10. The Plan should clarify the discharge point of the bench (swale) in the southeastern corner of the site between Channel N and the Access Road, north of the proposed trees.

Plan Sheet 12 of 18 has been revised to add flow arrows for the bench on the fill slope. The discharge of the slope bench is to Inlet I-19.

12. The plan should provide additional detail on the stabilization of the berm that serves as the southern wall of Channel N with particular attention to the sharp bend in Channel N near the MSE wall.

Ms. Leslie Huhn, Township Manager

March 29, 2016

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- Details have been provided on the swale lining from Station 0+75 to 1+25 however these stations have not been shown in plan view.

Plan sheets 12 and 13 have been revised to add channel stationing for reference to details provided.

- The Designer should verify the stability of the fill berm supporting this swale, and provide any further details that may be necessary to assure the stabilization.

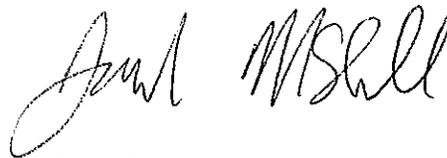
Placement of the fill shall be in compacted lifts in accordance with the QA/QC Plan for the development of the landfill assuring the stability of the fill.

- The “Affirmative Covenant” and “No Waste” areas shall be identified on the Plans.

Plan sheets 9, 11 and 12 have been revised to add the covenant area (no waste areas).

In the event any questions arise concerning this correspondence please do not hesitate to contact this office at your convenience.

Very truly yours,
MARTIN AND MARTIN, INCORPORATED



Joseph M. McDowell, P.E.

cc: Lehigh Valley Planning Commission
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