



May 7, 2018

**NOTICE OF VIOLATION**

**CERTIFIED MAIL NO.: 7017 2400 0000 0920 2589**

Mr. Donald Hallock, District Manager  
IESI PA Bethlehem Landfill  
2335 Applebutter Road  
Bethlehem, Pennsylvania 18015

Re: IESI PA Bethlehem Landfill  
Solid Waste Management Permit No. 100020  
Lower Saucon Township, Northampton County

Dear Mr. Hallock:

As a result of an April 18, 2018 inspection at the above-referenced facility, the Pennsylvania Department of Environmental Protection ("Department") has determined that IESI PA Bethlehem Landfill Corporation ("IESI") was in violation of the Solid Waste Management Act, Act of July 7, 1980, P.L. 380, No. 97, 35 P.S. Sections 6018.101 et seq., the Municipal Waste Management Rules and Regulations found at 25 Pa. Code Chapters 271 to 285, and the facility permit conditions as follows:

1. 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.
2. 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 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.
3. 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.

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4. 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. 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.
6. 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.

Within fifteen (15) days of receipt of this notice, please submit to the Department a proposed plan and schedule that addresses the correction and prevention of the above violations. The response should be sent to my attention at the letterhead address.

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

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

If you have any questions about this letter, please contact me at (570) 826-2434.

Sincerely,



Rachel Miller  
Compliance Specialist  
Waste Management Program

cc: Lower Saucon Township