



# pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION

SOUTHCENTRAL REGIONAL OFFICE

October 6, 2014

**CERTIFIED MAIL NO. 9171 9690 0935 0033 0171 71**

Ms. Jane Meeks, Executive Director  
Berks County Solid Waste Authority  
633 Court Street 14<sup>th</sup> Floor SC  
Reading, PA 19601

Re: Plan Revision Approval  
Berks County Municipal Waste Management Plan Revision

Dear Ms. Meeks:

Enclosed is a Plan Revision Approval for the Berks County Municipal Waste Management Plan received by the Department from the Berks County Solid Waste Authority on September 5, 2014. This Plan Revision Approval authorizes Berks County to proceed in implementing the approved plan revision and in submitting the implementing documents to the Department of Environmental Protection (DEP). Implementing documents must be submitted to DEP within one year of the date of plan approval. The plan approval is effective for a ten-year period. The implementing documents are due within one year from today's date, by or before September 5, 2015.

The county must implement the approved plan revision and comply with conditions of this plan revision approval. Failure to implement the approved plan revision or comply with plan approval conditions is a violation of Section 1701 of the Municipal Waste Planning, Recycling and Waste Reduction Act, Act of July 28, 1988, P.L. 556, 53 P.S. Section 4000.1701, and may result in enforcement action by DEP.

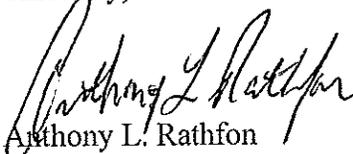
Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa. C.S., Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800-654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD.

IMPORTANT LEGAL RIGHTS ARE AT STAKE, HOWEVER, SO YOU SHOULD SHOW THIS TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD (717-787-3483) FOR MORE INFORMATION.

Questions concerning the plan revision approval or this letter should be directed to Anthony Rathfon, Waste Management Program Manager, at 717-705-4706. If your solicitor has questions, he/she may contact Beth Shuman, Assistant Regional Counsel, at 717.787.8790.

Sincerely,



Anthony L. Rathfon  
Program Manager  
Waste Management Program

Enclosure

cc: Berks County Commissioners

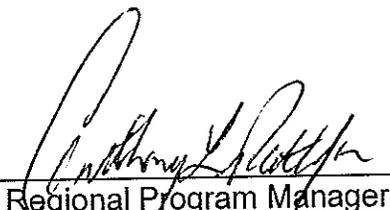
COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF LAND RECYCLING AND WASTE MANAGEMENT

**Plan Revision Approval**  
**Berks County Municipal Waste Management Plan Revision dated**  
**September 02, 2014 for Berks County**

Date Issued: October 06, 2014

Under the provisions of the Municipal Waste Planning, Recycling and Waste Reduction Act of July 28, 1988, P.L. 556, 53 P.S. §§ 4000.101 – 4000.1904, (the Act), the Municipal Waste Management Non-Substantial Plan Revision submitted by Berks County to the Department of Environmental Protection (DEP) on September 05, 2014, is hereby APPROVED. Berks County is authorized to implement the approved plan revision and execute ordinances, contracts or other requirements necessary to implement the plan revision.

This plan approval is subject to the attached conditions, and also modification, amendment and supplement by the DEP. This approval is further subject to rescission by DEP for any violation of the applicable laws or the rules and regulations adopted thereunder, for failure to comply in whole or in part with the conditions of this plan approval and the provisions set forth in the approved plan revision (which is made a part hereof), or for causing any condition inimical to the public health, safety or welfare.

  
Regional Program Manager  
FOR THE DEPARTMENT OF  
ENVIRONMENTAL PROTECTION

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF LAND RECYCLING AND WASTE MANAGEMENT

## Berks County Municipal Waste Management Plan Revision Approval

County: Berks  
Date Issued: October 06, 2014

### Plan Approval Conditions

1. Berks County shall implement its plan, as revised by the plan revision received by DEP on September 05, 2014.
2. The County may not act in a manner contrary to the approved plan revision or otherwise fail to act in a manner consistent with the approved plan revision.
3. This plan approval is conditioned upon the requirement to submit an adopted revised plan at least three years prior to the time all remaining available permitted capacity for the County will be exhausted or at least three years prior to the expiration of the term of the County's approved plan, or when otherwise required by DEP. Each year the County will examine the remaining capacity available to the County.
4. The County will ensure adequate disposal capacity is available to them for the entire 10-year period of the plan by entering into disposal capacity agreements.