

Stipulation of Settlement

Wherefore, the Department of Environmental Protection (“Department”) and the signatories to Lisa Hallowell’s February 4, 2021 letter (attached hereto), including the organizations they represent (“Signatories”), wish to resolve concerns that appropriate public notice may not have been published for renewals of authorizations to operate under WMGR123 that are listed in Attachment A of Ms. Hallowell’s letter; and

Wherefore, although the Department believes that public notice was lawful, it understands that the Signatories disagree, and that providing an additional opportunity for public comment is the best means of resolving this issue.

Now, therefore, the Department and the Signatories have agreed upon the following:

1. In exchange for the following, the signatories agree that they will only file appeals of the authorizations listed in Attachment 1 of this agreement and that none of those appeals will include a claim that appropriate or required public notice procedures were not properly followed.
2. The Department agrees to notice that there will be a 60-day public comment period for the WMGR123 authorizations listed in Attachment A to Ms. Hallowell’s letter by March 31, 2021. The Department will accept public comments for 60 days from the date of public notice. The Department agrees to consider and respond in writing to public comments received within 180 days of the close of the public comment periods (or an additional 60 days beyond that time period if deemed necessary by the Department), and will, if it deems it appropriate based upon those comments, make modifications to the previously approved WMGR123 authorizations.
3. The Department agrees to issue instructions from its Central Office to the Regional Offices that going forward, the Regional Offices should publicly notice for comment

all applications for coverage under WMGR123, including new applications, renewal applications, and applications for modification. The Department agrees to issue such directive by March 31, 2021. The Department will post a statement or Frequently Asked Questions describing this procedure on its website for interested residents.

4. With respect to all facilities currently operating under WMGR123, the Department will investigate complaints it receives from concerned residents, and will communicate the results of such investigations to the complainant.

Residents with environmental concerns may contact their Regional DEP Office, at the phone numbers found at the following website:

<https://www.dep.pa.gov/About/Contact/Pages/default.aspx>

FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION:

<u>Ali Tarquino Morris</u>	<u>2/16/2021</u>
Ali Tarquino Morris	Date
Director, Bureau of Waste Management	
PA Department of Environmental Protection	

FOR THE SIGNATORIES:

<u>Mary Greene</u>	<u>2/16/2021</u>
Mary Greene, Esq.	Date
Environmental Integrity Project	

<u>Lisa Hollowell</u>	<u>2/16/2021</u>
Lisa Hollowell, Esq.	Date
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