

APPENDIX A

BERKS COUNTY SOLID WASTE AUTHORITY



633 Court St – 14th Floor SC
Reading, Pa, 19601
<http://www.co.berks.pa.us/swa>

13 OCT 30 P 3:03
(610) 478-6362

DELAWARE COUNTY
SOLID WASTE AUTHORITY

Charles S. Mowbray, Chairman
Michelle Kircher, Vice Chair
John Pagerly, Treasurer
Dale-Ann Farina, Secretary
Tony J. Sacco, Asst. Secretary
Brian Clements
John Bradley, Esq.
Charles Jones, P.E.
Karen Ferdun

October 28, 2013

Rolling Hills Landfill
Attention: Wendy Marburger
583 Longview Road
Boyertown, PA 19512

Re: Berks County Municipal Waste Management Plan

Dear Ms. Marburger:

I am the Chairman of the Board of the Berks County Solid Waste Authority (the "Authority"). In connection with the revisions to the County of Berks (the "County") Municipal Waste Management Plan (the "Plan"), on November 13, 2003, Rolling Hills Landfill ("Rolling Hills") entered into a Disposal Capacity Agreement (the "Agreement") by and among the Authority, the County and Rolling Hills, which Agreement was subsequently amended by letter agreement among the parties, dated July 16, 2013 (the "Amendment"). By entering into the Agreement and the Amendment, Rolling Hills agreed to be listed in the Plan as a non-exclusive disposal facility for County municipal waste. In addition, pursuant to the Agreement and the Amendment, Rolling Hills agreed to accept municipal waste of the County for an initial term of ten years, which term was extended by the Amendment to the later of December 31, 2015, or the date of adoption of a new revision to the Plan and final approval and acceptance thereof by the Pennsylvania Department of Environmental Protection ("DEP"). The Amendment corrected a problem which developed because DEP's approval occurred in 2005 making the term of the Plan through 2015 while the ten year term of the Agreement expired in 2013.

Pursuant to that certain Cooperation Agreement, dated October 1, 1992, by and between the Authority and the County, the County has delegated to the Authority the task of undertaking the next Plan revision (the "Revision"), which will commence in 2014. In anticipation of the Plan revision, the Authority has determined to obtain assurance of sufficient disposal capacity through the end of the term of the Revision. Consequently, the Authority is requesting that Rolling Hills execute this letter agreement which, when executed, will be an acknowledgment

and an agreement by all parties hereto that (a) the term of the Agreement is extended until December 31, 2025, or ten (10) years from the date of adoption of the new revision to the Plan and final approval and acceptance thereof by DEP, whichever is later, and (b) all other terms and conditions of the Agreement remain in full force and effect and are hereby ratified and confirmed.

This letter agreement shall be immediately effective. All prior agreements or terms or provisions thereof, including the Agreement and the Order, inconsistent with the provisions hereof shall be superseded and of no effect. If you are in agreement with the terms of this letter agreement, please execute the same below and return this letter agreement to the Authority, care of its Solicitor, Douglas Paul Rauch, Esquire, at Georgeadis Setley, 4 Park Plaza, 2nd Floor, Wyomissing, PA 19610.

Very truly yours,

BERKS COUNTY SOLID WASTE AUTHORITY

Charles Mowbray
Charles Mowbray, Chairman

The foregoing is acknowledged and agreed to by:

ROLLING HILLS LANDFILL

COUNTY OF BERKS

By: *Joseph W Vastoria*
Authorized Officer Joseph W Vastoria

By: *Christina J. ...*
Chairman

Date: Nov. 6, 2013

Date: 12/9/13

Attest: *Mary ...*

BERKS COUNTY SOLID WASTE AUTHORITY



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Charles Jones, P.E.
Karon Feridun

October 28, 2013

WBLF Acquisition Co. LLC
Attention: Ben Woods
District Manager of Advanced Disposal
455 Poplar Neck Road
Birdsboro, PA 19508

Re: Berks County Municipal Waste Management Plan

Dear Mr. Woods:

I am the Chairman of the Board of the Berks County Solid Waste Authority (the "Authority"). In connection with the County of Berks (the "County") Municipal Waste Management Plan (the "Plan"), on March 22, 2007, WBLF Acquisition Co. LLC, doing business in the County at the Western Berks Community Landfill and Recycling Center LLC ("Western Berks") entered into a Disposal Capacity Agreement (the "Agreement") by and among the Authority, the County and Western Berks. By entering into the Agreement, Western Berks agreed to be listed in the Plan as a non-exclusive disposal facility for County municipal waste. In addition, pursuant to the Agreement, Western Berks agreed to accept municipal waste of the County for an initial term of ten years from the date of the Agreement.

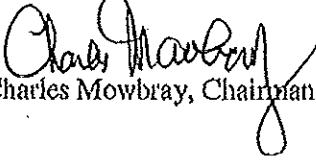
Pursuant to that certain Cooperation Agreement, dated October 1, 1992, by and between the Authority and the County, the County has delegated to the Authority the task of undertaking the next statutorily required Plan revision (the "Revision"), which will commence in 2014. In anticipation of the Plan revision, the Authority has determined to obtain assurance of sufficient disposal capacity through the end of the term of the Revision. Consequently, the Authority is requesting that Western Berks execute this letter agreement which, when executed, will be an acknowledgment and an agreement by all parties hereto that (a) the term of the Agreement is extended until December 31, 2025, or ten (10) years from the date of adoption of the new revision to the Plan and final approval and acceptance thereof by Pennsylvania Department of

Environmental Protection, whichever is later, and (b) all other terms and conditions of the Agreement remain in full force and effect and are hereby ratified and confirmed.

This letter agreement shall be immediately effective. All prior agreements or terms or provisions thereof, including the Agreement and the Order, inconsistent with the provisions hereof shall be superseded and of no effect. If you are in agreement with the terms of this letter agreement, please execute the same below and return this letter agreement to the Authority, care of its Solicitor, Douglas Paul Rauch, Esquire, at Georgeadis Setley, 4 Park Plaza, 2nd Floor, Wyomissing, PA 19610

Very truly yours,

BERKS COUNTY SOLID WASTE AUTHORITY


Charles Mowbray, Chairman

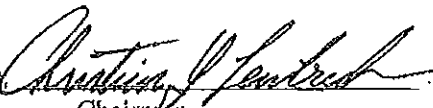
The foregoing is acknowledged and agreed to by:

WBLF ACQUISITION CO, LLC

By: 
Authorized Officer

Date: 11/13/13

COUNTY OF BERKS

By: 
Chairman

Date: 12/19/13

Attest: 
Chief Clerk

BERKS COUNTY SOLID WASTE AUTHORITY



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Reading, Pa. 19601
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Charles Jones, P.E.
Karen Feridun

October 28, 2013

New Morgan Landfill Company, Inc.,
Wholly owned subsidiary of BFI Waste Systems
Of North America, LLC
P.O. Box 128
Morgantown, PA 19543

Attention: Mr. Lee Zimmerman

Re: Conestoga Landfill

Gentlemen:

This letter will acknowledge and confirm the agreement between the Berks County Solid Waste Authority (the "Authority"), the County of Berks (the "County"), and the New Morgan Landfill Company, Inc., a wholly owned subsidiary of BFI Waste Systems of North America, LLC (the "Company"), relating to reserve capacity at the Conestoga Landfill. In accordance with the Disposal Service Agreement between Browning Ferris, Inc. and the County, dated as of October 12, 1989 (the "Agreement"), and that certain Stipulation of Settlement and Order (the "Order"), issued by the Court of Common Pleas of Berks County, Pennsylvania, in 1994, relating to two separate actions involving the County, the Authority and the Company, the Company heretofore agreed to have available for the remaining term of the then current Berks County Municipal Solid Waste Management Plan (the "Plan") sufficient capacity at the Conestoga Landfill to meet all of the County's needs for disposal of County waste. Also in accordance with the Agreement and Order, the County agreed to include the Conestoga Landfill in the Plan.

The parties hereto acknowledge that the County has delegated to the Authority the statutorily mandated task of revising the Plan. On April 1, 2003, in connection with the 2003 Plan revision, the parties hereto by letter agreement amended the Agreement and Order to assure sufficient capacity for the County's disposal needs during the term of such Plan revision and to include the Conestoga Landfill in the revised Plan as an approved disposal facility, as more fully set forth in such letter agreement,

Pursuant to that certain Cooperation Agreement, dated October 1, 1992, by and between the Authority and the County, the County has delegated to the Authority the task of undertaking the next Plan revision. Such Plan revision will commence in the year 2014. In connection therewith, and as a further modification and amendment of the Agreement and the Order, the parties hereto agree that (1) the Company will have available for the remaining term of the pending revision of the Plan (the "Revised Plan") sufficient capacity at the Conestoga Landfill to meet all of the County's needs for disposal of County waste, and (2) the Authority and the County will include the Conestoga Landfill in the Revised Plan as an approved disposal facility authorized to receive both municipal waste generated within the County and out of the County so long as Conestoga Landfill maintains in effect all required Department of Environmental Protection permits to receive the same and so long as the Company is not in breach of Paragraph 1 of the Order.

This letter agreement shall be immediately effective. All prior agreements or terms or provisions thereof, including the Agreement and the Order, inconsistent with the provisions hereof shall be superseded and of no effect. If you are in agreement with the terms of this letter agreement, please execute the same below and return this letter agreement to the Authority, care of its Solicitor, Douglas Paul Rauch, Esquire, at Georgeadis Setley, 4 Park Plaza, 2nd Floor, Wyomissing, PA 19610.

Very truly yours,

BERKS COUNTY
SOLID WASTE AUTHORITY

By: *Ann S. Marling*
Chairman

COUNTY OF BERKS, PENNSYLVANIA

By: *Christina J. Lovinski*
Chairman, Board of Commissioners

Attest: *Mary Hill*
Chief Clerk

Dated: 12/3, 2013

ACKNOWLEDGED AND AGREED BY:

NEW MORGAN LANDFILL COMPANY, INC.

By: *Mark Pedersen*
General Manager

Dated: 12/3, 2013

RESOLUTION NO. 368-13

BE IT RESOLVED AND IT IS HEREBY RESOLVED that the Berks County Board of Commissioners hereby authorizes Christian Y. Leinbach, Commissioner Chair, to execute letters of extension to the 2003 Disposal Capacity Agreements which extends the term of the Agreement until December 31, 2025, or ten (10) years from the date of adoption of the new revision to the Solid Waste Management Plan, and final approval and acceptance by the Pennsylvania Department of Environmental Protection (DEP) with the following Landfills:

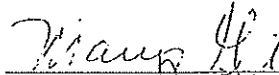
- New Morgan Landfill Company, Inc. wholly owned subsidiary of Browning Ferris, Inc.
- WBLF Acquisition Co., LLC
- Rolling Hills Landfill

ADOPTED THIS 5 DAY OF DECEMBER, 2013.

COUNTY OF BERKS

Not Present at meeting
Christian Y. Leinbach, Commissioner

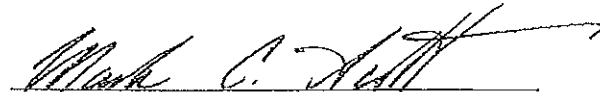
Attest:



Maryjo Gibson, Chief Clerk



Kevin S. Barnhardt, Commissioner



Mark C. Scott, Esq., Commissioner

APPENDIX B

WESTERN BERKS COUNCIL OF GOVERNMENTS
INTERGOVERNMENTAL COOPERATIVE AGREEMENT
AND BY-LAWS

PREAMBLE

We, the duly elected representatives of local governments in the Western Berks region hereby join together in a voluntary organization to be known as the Western Berks Council of Governments for the purpose of meeting at regular intervals to discuss and study community challenges of mutual interest and concern, and to develop policy and action recommendation for ratification and implementation by member local governments.

We realize that our individual and common destinies rest with the interdependent actions of the local governments which comprise our region.

The voluntary association which we have formed is a vehicle for closer cooperation and is not a new layer of government nor a super-government. As a voluntary organization of local governments, the members seek, by mutual agreement, solution to mutual problems for mutual benefit.

Our goal is to combine our total resources for regional challenges beyond our individual capabilities while retaining and strengthening our local municipalities.

ARTICLE I.

PURPOSE

A. This organization shall agree:

1. To serve as a mutual forum to identify, discuss, and bring into focus regional challenges and opportunities.
2. To serve as a vehicle for the collection and exchange of information of regional interest.
3. To provide a continuing organizational machinery to insure effective communication and coordination among governments and agencies.
4. To foster, develop, and review policies, plans, and priorities for regional growth, development and conservation.
5. To facilitate agreements, and cooperative action proposals among member governments for specific projects or other interrelated developmental needs and for the adoption of common policies and plans with respect to common regional challenges.
6. To maintain liaison with members, other government units, and private groups or organizations and to serve as a regional spokesman.
7. To review and coordinate federal, state, and local programs of regional importance.

B. The Council is established under the Commonwealth of Pennsylvania enabling legislation as authorized by the State Constitution and Acts of the General Assembly "Intergovernmental Cooperation Act, Pennsylvania Consolidated Statutes, Title 53, Sections 2301 through 2315, commonly known and referred to as Act 180 Intergovernmental Cooperation Law, as maybe amended from time to time.

ARTICLE II.

MEMBERSHIP

A. Eligibility - Voting membership shall be open to the following local Governmental Units:

1. Heidelberg Township
2. Mt. Penn Borough
3. Sinking Spring Borough
4. Robesonia Borough
5. West Lawn Borough
6. Bernville Borough

Associate non-voting memberships:

1. Conrad Weiser School District
2. Federal and State Government elected officials

B. Conditions - A local government, to obtain and retain voting membership in the Council, shall:

1. Be approved for membership by a unanimous vote of the Membership.
2. Adopt an Ordinance of Membership satisfactory to the WBCOG Solicitor if one exists or the Membership.
3. Comply with requirements concerning financial contributions of its members as defined in Article IV of these by-laws.

C. Withdrawal - Withdrawal from the membership in the Council shall be effected by formal municipal ordinance and letter request in writing for withdrawal by the member municipality. Furthermore, all administrative and financial commitments of the withdrawing municipality must be satisfied before withdrawal accepted by the Western Berks Council of Governments. One year notice of such action shall be required.D. Participation - Any voting member municipality shall be eligible to participate in any special feasibility study and any area-wide service program provided the governing body of such municipality approves its participation by motion or resolution. Discussion of particular plans, action or functions proposed shall be carried out initially by all voting members of the Council. Voting on specific questions of mechanics or policy shall be limited to those particular member municipalities who agree to participate in such plans, actions or functions.E. Associate non-voting memberships - Associate non-voting memberships may be conferred on any governmental unit or other legal entity by majority vote of the Membership. Associate members shall have no right to vote on any matter, but may participate in such programs as the WBCOG may designate. Associate members shall be exempt from Article IV of these by-laws, but must pay a yearly membership fee set by the Membership. The yearly membership fee shall be the same for all the associate members.F. Honorary non-voting memberships - Honorary non-voting memberships may be conferred on any person or entity by majority vote of the Membership. Honorary members shall have no right to vote on any matter nor any right to participate in any WBCOG program. Honorary members shall be exempt from Article IV of these by-laws.

ARTICLE III.

POLICY BODIES

A. Membership

1. Membership. An elected representative and an alternate elected representative shall be selected by the governing body of each member government. Each member government shall notify the WBCOG in writing each March of the names of the official representative and the alternate representative.
2. Voting. Each member municipality will have one vote through its official representative or alternate. Proxy voting shall not be permitted. Voting requires a simple majority of those members present, except as otherwise stated.
3. Quorum. A quorum shall consist of a simple majority of its total voting membership. In the absence of the official representative, the alternate representative shall have authority to vote in his place. In the absence of both the official representative and the alternate representative, any one (1) Mayor, Councilman, Supervisor, or Commissioner of the member government present at the meeting shall have authority to vote in their place.
4. Participation in Activities. Any member municipality shall have the right to refrain from any discussion or action of the WBCOG. A member shall not share the costs nor vote for final implementation of projects or programs in which it is not a participant.
5. Notice of Meeting. Notice of meetings shall be mailed seven (7) days in advance of the meeting date. Announcement of the meeting shall also be given to the local newspaper.

B. Officers

The Officers shall consist of the President, Vice President, Secretary, and Treasurer. The President may appoint committees as needed.

ARTICLE IV.

FINANCES AND DUES

- A. Based upon annual estimated requirements prepared and agreed upon by the Membership and upon grants received in order to support this organization, the members shall pay equal annual membership fees of \$200.00.
- B. Funds which accrue to the Council for its use in furthering the aims and purposes of the voluntary organization shall be controlled, dispersed, and accounted for in a manner prescribed by these by-laws. There shall be two (2) signatures to all contracts and legal agreements, one of whom shall be the President or Vice President and one of whom shall be the Secretary or Treasurer.
- C. Service fees and other costs for special projects shall be prorated among the member governments participating in such projects in a manner mutually agreed upon.
- D. The annual fee as established by the Council is to be paid not later than the end of March of each year.
- E. A new member joining the Council during the first six months of the year shall pay the annual fee. After the first six months, new members will pay 1/2 of the fee.

ARTICLE V.

OFFICERS OF THE WESTERN BERKS COG

A. Election of Officers

The officers shall consist of the President, Vice President, Secretary, and Treasurer. Such officers shall be elected in March at the annual meeting of the Council from the Membership. All officers are subject to removal at any time by affirmative vote of a two-thirds majority of the Membership.

B. Duties of the President

The President shall be the chief elected officer of the COG and shall preside at all meetings. The President shall have general charge and supervision of the business of the COG. The President shall appoint all committees unless the Membership directs otherwise. The President shall be the principal spokesperson for the Council. The President shall perform such duties as may, from time to time, be assigned by the Membership.

C. Duties of the Vice President

The Vice President shall possess the power and shall perform the duties of the President in his absence or disability.

D. Duties of the Secretary

The Secretary shall keep the minutes of all the meetings; shall give all notices of meetings; shall sign with the President, contracts, instruments and documents and other items authorized by the COG; shall perform all the duties incident to the office of Secretary; and the Secretary for the time being in office, shall deliver all books and papers to the successor immediately upon their election or to the COG when so required.

E. Duties of the Treasurer

The Treasurer shall have or provide for the custody of the funds of the COG; shall provide for the collection and receipt of monies earned by or in any manner due to be received by the COG; shall deposit all funds in their custody as Treasurer in such banks or other places of deposit as the COG may designate, shall render a written monthly account showing their transactions; and in general, shall discharge such other duties as may from time to time be assigned to them by the Membership. The Treasurer, from time being in office, shall transfer and deliver all funds, securities, books, records and papers of the COG in his custody or possession to its successor immediately upon his qualification. The Treasurer shall permit all records and accounts of the COG, kept by him and in his custody or possession, to be examined, from time to time, by the Council.

F. Ad Hoc Advisory Committees

The Council may have ad hoc advisory committees reporting to the President. Such committees may be comprised of staff, personnel from the member Local Governments, Counties, the State and Federal Government agencies, regional commissions and public or private persons and corporations involved in conservation and development problems and opportunities in the Western Berks Region.

The President shall have authority to appoint and remove members of the ad hoc committees. Ad hoc committees shall server in an advisory capacity as requested by the President.

ARTICLE VI.

AMENDMENTS

Amendments to these by-laws must be initially approved by a majority vote of the membership. In order to be adopted, the amendment must be approved by a unanimous vote at a second WBCOG meeting. Amendments shall not be effective until approved by each member municipality.

ORDINANCE ESTABLISHING MEMBERSHIP

Berwynville Borough	Ordinance# 278	Robesonia Borough	Ordinance# 5-2000
Heidelberg Township	Ordinance# 123	Sinking Spring Borough	Ordinance# 512
Mt. Penn Borough	Ordinance# 699	West Lawn Borough	Ordinance# 354

AN ORDINANCE AUTHORIZING INTERGOVERNMENTAL COOPERATION BY ESTABLISHING MEMBERSHIP IN THE WESTERN BERKS COUNCIL OF GOVERNMENTS AND ESTABLISHING THE CONDITION OF SAID MEMBERSHIP PURSUANT TO THE REQUIREMENTS OF PENNSYLVANIA CONSOLIDATED STATUTES, TITLE 53, SECTIONS 2301 through 2315, COMMONLY KNOWN AND REFERRED TO AS ACT 180 INTERGOVERNMENTAL COOPERATION LAW, AS AMENDED, OF THE COMMONWEALTH OF PENNSYLVANIA.

WHEREAS, Pennsylvania Consolidated Statutes, Title 53, Sections 2301 through 2315, commonly known and referred to as Act 180 Intergovernmental Cooperation Law is the law governing intergovernmental cooperation within the Commonwealth of Pennsylvania; and,

WHEREAS, Membership in the Western Berks Council of Governments for the above listed municipalities have adopted to cooperate with the other governmental or quasi-governmental units in the execution of those municipal functions deemed by the above listed municipalities to be accomplished best through cooperation with the other governments or quasi-governmental units; and,

WHEREAS, Pennsylvania Consolidated Statutes, Title 53, Sections 2301 through 2315, commonly known and referred to as Act 180 Intergovernmental Cooperation Law intends that full recognition by the Commonwealth of Pennsylvania of an agent of intergovernmental cooperation requires said agent to be established by Ordinance by all cooperating units of government; and,

WHEREAS, The above listed municipalities desire the Western Berks Council of Governments to be as useful as possible to the above listed municipalities and to the residents thereof;

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE LEGISLATIVE BODY OF THE ABOVE LISTED MUNICIPALITIES IN A REGULAR MEETING DULY ASSEMBLED, AND IT IS HEREBY ORDAINED AND ENACTED BY AUTHORITY OF THE SAME:

Section 1. Membership

That the above listed municipalities join and be a member of the Western Berks Council of Governments in accordance with the Intergovernmental Cooperative Agreement and Bylaws of the Western Berks Council of Governments and any laws or contracts which apply.

Section 2. Intergovernmental Cooperative Agreement and Bylaws

That the Intergovernmental Cooperative Agreement and Bylaws of the Western Berks Council of Governments attached hereto and made part hereof and hereby approved, and that such Intergovernmental Cooperative Agreement and Bylaws maybe amended from time to time by a voting representation of all the member municipalities of the Western Berks Council of Governments.

ORDAINED AND ENACTED THIS DAY OF , 2000

By _____

Attest _____

ORDAINED AND ENACTED THIS DAY OF , 2000

By _____

Attest _____

ORDAINED AND ENACTED THIS DAY OF , 2000

By _____

Attest _____

ORDAINED AND ENACTED THIS DAY OF , 2000

By _____

Attest _____

ORDAINED AND ENACTED THIS DAY OF , 2000

By _____

Attest _____

ORDAINED AND ENACTED THIS DAY OF , 2000

By _____

Attest _____

APPENDIX C

Berks County Solid Waste Advisory Committee

September 17, 2013 – 2:30 PM

**Commissioners' Board Room – 13th Floor
Berks County Services Center**

Attendees

Michael Mountz	Municipal representative (Shillington Borough)
Charles Jones, PE	City representative (City of Reading)
Troy Bingaman	2 nd Class Township representative (Exeter Twp.)
Tony Sacco	1 st Class Township representative (Cumru Twp.)
Brian Clements	Citizen Representative
Charles Mowbray	Citizen Representative
Dale Ann Farina	Industry representative
Josh Clements	Private solid waste industry representative (A.J. Blosenski)
Thomas Showman	Private scrap/recycling representative (Elk Environmental)
Jane Meeks	County Recycling Coordinator

The meeting was opened by welcoming all attendees.
No members of the public chose to speak

Review of the Plan and Presentation of Plan Revision

Ms. Meeks gave a brief update on the progress which has been made toward the implementation of the Berks County Municipal Waste Management Plan Revision of 2005 (the "Plan"). Ms. Meeks indicated that the implementation of new programming, including a full-time electronic waste and tire collection center in addition to the household hazardous waste, pharmaceutical and paper shredding events, is ongoing. The 2005 Plan called for the expansion of recycling programming in Berks County.

Ms. Meeks indicated that this is the third non-substantial Plan revision to our 2005 Solid Waste Plan. The first being the inclusion of the Western Berks Landfill, which was completed in 2007, which committed them to paying a \$ 3.00 per ton host fee to the County for all out of County waste disposed of at their facility, for a period of ten (10) years. The second was complete in 2008 with the inclusion of six (6) facilities and the removal of one (1) facility operated by Waste Management. All of the Waste Management facilities are located outside of Berks County, so no host fees are required to be paid to Berks County.

Ms. Meeks explained that York County is interested in adding the York County Resource Recovery Facility, to the Berks County Municipal Waste Plan as a non-exclusive disposal facility for disposal of municipal waste from Berks County. York County has filed, with the Authority, their Petition Form to Add a Facility. To that end, York County Solid Waste

Authority will execute a Disposal Capacity Agreement (the "Agreement") with the County and the Berks County Solid Waste Authority (the "Authority") with respect to available capacity of the York County Resource Recovery facility. Notwithstanding that the Plan provides a mechanism by which additional facilities can be included in the Plan, the Pennsylvania Department of Environmental Protection ("DEP") has taken the position that this action constitutes a nonsubstantial revision to the Plan. Ms. Meeks explained the procedures for municipal notification and submission of the Plan revision to DEP. A copy of the Agreement was distributed to the members of the Committee along with a draft letter that will be sent to the seventy-three (73) municipalities in the County, notifying them of the proposed plan revision and requesting their comments.

Ms. Meeks explained that our current Plan expires on December 15, 2015 and it is our intent to keep this Committee together for that Plan revision. She indicated that unlike this revision, that revision will be more extensive and will update waste generation data, recycling programs and will secure new ten year disposal Contracts. It is anticipated that an Engineer will be hired by the Authority to assist with that revision and that an estimated three or four Solid Waste Advisory Committee meetings will be held to review and comment on that revision.

Questions & Comments on Plan Revision

Upon a motion by Mr. Clements, seconded by Ms. Farina, the committee unanimously agreed to notify the municipalities of the County of the County's intent to submit a nonsubstantial plan revision to the DEP, as outlined under Section 6.5 of the Plan. The revision to the Plan will include the York County Resource Recovery facility as a nonexclusive disposal facility for disposal of municipal waste of the County.

Closing Comments & Adjournment

No future SWAC meeting was scheduled at this time.

Ms. Meeks thanked all members for attending.

At 2:50 PM, upon a motion by Mr. Clements, seconded by Ms. Farina, the Committee unanimously resolved to adjourn.

Berks County Solid Waste Advisory Committee

March 18, 2014 – 2:00 PM

**Commissioners' Board Room – 13th Floor
Berks County Services Center**

Attendees

Charles Jones, PE	City representative (City of Reading)
Troy Bingaman	2 nd Class Township representative (Exeter Twp.)
Brian Clements	Citizen Representative
Charles Mowbray	Citizen Representative
Josh Clements	Private solid waste industry representative (A.J. Blosenski)
Scott Carl	Private scrap/recycling representative (WD Zwicky)
Jane Meeks	County Recycling Coordinator

Absent were Mr. Tony Sacco, 1st Class Township representative (Cumru Twp.), Mr. Michael Mountz, Municipal representative (Shillington Borough) and Ms. Dale-Ann Farina, Industry representative.

The meeting was opened by welcoming all attendees.

No members of the public chose to speak.

Upon a motion by Mr. Jones, seconded by Mr. Bingaman, the minutes of the September 17, 2013 meeting were approved.

Ms. Meeks explained that our current Plan expires on December 15, 2015. She indicated that this revision will be fairly extensive and will update waste generation data, recycling programs and ensure disposal capacity. It is estimated that four Solid Waste Advisory Committee meetings will be held to review and complete this revision.

Ms. Meeks indicated that the Authority has received official notification from DEP that this Plan revision will be considered a non-substantial revision.

Ms. Meeks distributed a copy of the DEP Guidance Document and reviewed the Plan revision process, with the Committee. The SWAC's responsibilities in updating this Plan are to look at the requirements of Act 101 and develop a framework for the Plan revision.

Ms. Meeks reviewed the existing Plan and discussed information that is contained in the Plan that is not required and is difficult to determine the accuracy of that information. Ms. Meeks indicated that information on our new programs, including a full-time electronic waste and tire collection center, in addition to the household hazardous waste, pharmaceutical and paper

shredding events, will be included in this Plan revision. The 2005 Plan called for the expansion of recycling programming in Berks County, which has allowed us to surpass the 35% state recycling goal. Ms. Meeks indicated that this Plan revision currently calls for a 40% recycling goal and recommended removing the chart listing each municipality and how much each of those should recycle in order to meet this goal. Due to the large number of non-mandated municipalities in Berks County she believes it would be more prudent to look at those municipalities with larger populations and larger businesses to ensure we meet or exceed the 35% State goal. Ms. Meeks recommended removing many of the redundant charts in the Plan and replacing them with a few charts and maps that will be continuously referred to.

The Committee recommended that we strictly follow the DEP guidelines and only include that information that is required, as recommended by the DEP guidelines. Upon the recommendation of Ms. Meeks, the Committee agreed to look at waste that is being collected and recycled within Berks County, but is not being reported under the DEP Waste Destination reports, because it is not going to municipal waste facilities, but rather going to yard waste processing centers, such as Rodale, Giorgio and W.D. Zwicky or United Comstack as alternative fuel, to name a few. Ms. Meeks believes that this information is critical in the development of our Plan revision since this could be a substantial part of Berks County's waste that is not being reported and could have a large impact on our waste disposal needs, if these facilities were no longer available. The Committee recommended that the Solid Waste Authority look to hire a college intern to assist in compiling this data.

Ms. Meeks explained the procedures for municipal notification and submission of the Plan revision to DEP, which includes notifying each of our seventy-three (73) municipalities in the County of the proposed Plan revision and requesting their comments. Because this is a non-substantial Plan revision it will not require action by the municipalities.

Closing Comments & Adjournment

The next SWAC meeting will be scheduled sometime in late summer to review the draft report and distribute to our municipalities for any comments.

Ms. Meeks thanked all members for attending.

At 2:50 PM, upon a motion by Mr. Clements, seconded by Mr. Jones, the Committee unanimously resolved to adjourn.

Berks County Solid Waste Advisory Committee

June 17, 2014 – 2:00 PM

**Commissioners' Board Room – 13th Floor
Berks County Services Center**

Attendees

Charles Jones, PE	City representative (City of Reading)
Troy Bingaman	2 nd Class Township representative (Exeter Twp.)
Brian Clements	Citizen Representative
Charles Mowbray	Citizen Representative
Michael Mountz	Municipal Representative (Shillington Borough)
Ms. Dale-Ann Farina	Industry Representative
Josh Clements	Private solid waste industry representative (A.J. Blosenski)
Scott Carl	Private scrap/recycling representative (W.D. Zwicky & Son, Inc.)
Jane Meeks	County Recycling Coordinator

Absent was Mr. Tony Sacco, 1st Class Township representative (Cumru Township).

The meeting was opened by welcoming all attendees.

No members of the public chose to speak.

Upon a motion by Mr. Bingaman, seconded by Mr. Jones, the minutes of the March 18, 2014 meeting were approved.

Ms. Meeks reviewed the draft Plan Revision with the Committee and discussed the sources of the historical information and how the projections were calculated for the 10 year planning period. Ms. Meeks explained that the DEP guidelines for the Development and Implementation of County Municipal Waste Management Plan Revisions, was followed and contains the required subheadings and the fourteen required Chapters, to clearly demonstrate that this Plan Revision will ensure adequate disposal capacity and meet the 35% recycling goal. Ms. Meeks indicated that charts and graphs were used throughout this Plan Revision to allow this information to be easily shared while visually interpreting our waste needs and projected capacity.

Ms. Meeks indicated that as part of this process we also looked at waste that is being collected and recycled within Berks County, but has not be included in past Plans. Because this waste is not going to municipal waste disposal facilities, but rather going to yard or construction demolition waste processing centers, this waste does not show up on Waste Destination Reports and therefore has not been accounted for in the past. Ms. Meeks believes that this information is critical in the development of our Plan Revision since this material accounts for a substantial part

of Berks County's waste that was not being reported and could have a large impact on our waste disposal needs, if these facilities were no longer available.

Ms. Meeks explained the procedures for municipal notification and submission of the Plan Revision to DEP, which includes sending a copy of the Plan Revision to each of our seventy-three (73) municipalities in Berks County. The municipalities will have thirty (30) days to review the Plan Revision and submit any comments or suggestions to the Authority. Because this is a non-substantial Plan Revision it does not require action by the municipalities. After the thirty (30) day municipal review period, a copy of the Plan Revision will be sent to the Department of Environmental Protection (DEP) for their review and approval. The DEP will have an additional sixty (60) days to either request additional information or the Plan Revision will be deemed approved. The Plan Revision is automatically approved if there is no action on behalf of the DEP during that sixty (60) day period.

Upon a motion by Ms. Dale-Ann Farina, seconded by Mr. Jones the Committee unanimously approved the Plan Revision and recommended sending it to the Berks County municipalities for their review and comments.

Ms. Meeks thanked all members for attending and indicated that no future meetings will be required unless DEP requests changes to the Plan Revision, which will require additional action on behalf of this Committee.

At 3:20 PM, upon a motion by Mr. Clements, seconded by Ms. Farina, the Committee unanimously resolved to adjourn.

NOTIFICATIONS
AND
APPROVALS

BERKS COUNTY SOLID WASTE AUTHORITY



633 Court St - 14th Floor SC
Reading, Pa. 19601
<http://www.co.berks.pa.us/swa>

(610) 478-6362

Charles S. Mowbray, Chairman
Michelle Kircher, Vice Chair
John Pagerly, Treasurer
Dale-Ann Farina, Secretary
Tony J. Sacco, Asst. Secretary
Brian Clements
John Bradley, Esq.
Charles Jones, P.E.
Karen Feridun

December 10, 2013

DEP Southcentral Regional Office
909 Elmerton Ave.
Harrisburg, PA 17110
Attn: John Lundsted

Dear John:

This letter follows our conversation earlier today and is notification to the Pennsylvania Department of Environmental Protection (PADEP) of the Berks County Solid Waste Authority's (Authority) intent to initiate a revision to the 2005 County Municipal Waste Management Plan. The existing 2005 Plan expires in December 2015. This Plan revision is required in accordance with the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101 of 1988), Chapter 25 Pa. Code - 272.252 (a) and (e).

It is our understanding the proposed revision to the Plan will be a "non-substantial plan revision". The County Plan will be an Open Plan and will allow waste from within Berks County to be disposed of at any permitted facility, both in and outside of Pennsylvania. In addition, this Plan revision will not eliminate any recycling programs. The revised Plan will update only specific sections of the existing 2005 Plan which will expire in December 2015. The County has currently secured adequate solid waste disposal capacity through December 31, 2025, or ten (10) years from the date of adoption of the new revision to the Plan and final approval and acceptance thereof by the Pennsylvania Department of Environmental Protection, whichever is later. The plan document will list Plan benefits, and update demographic, waste generation and recycling information. Some chapters will not be changed.

The Solid Waste Advisory Committee (SWAC) has already been formed and will meet in the near future to provide input during the revision process and apply for a 901 Planning Grant through the Department, if appropriate.

If you have any questions, please contact me at, 610-478-6362 or swa@countyofberks.com.

Sincerely,


Jane Meeks
Executive Director



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION
WASTE MANAGEMENT PROGRAM

March 7, 2014

Jane Meeks, Executive Director
633 Court St.
14th Floor SC
Reading, PA 19601

Re: Berks County
Municipal Waste Management Plan Revision

Dear Ms. Meeks:

The Department of Environmental Protection has received Berks County's written notice dated October 21, 2013, that the County's solid waste plan revision development has begun. The plan revision is required by 25 Pa. Code Section 272.251. The changes that Berks County has outlined in their October 21, 2013 letter are consistent with a non-substantial plan revision.

It is requested that the County provide quarterly progress reports and draft copies of chapters of the solid waste plan as they are written to me at: DEP Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg PA 17110, via email at jlundsted@pa.gov or via fax at 717-705-4930. A copy of the Act 101, Section 901 Planning Grant application is available on the DEP website. The grant provides for 80 percent reimbursement to the county by DEP of approved costs associated with the plan revision. A pre-application meeting with me is required prior to the County's submittal of a 901 grant application. If you have any questions, please call me at 717.705.4927.

Sincerely,



John Lundsted
Regional Recycling & Planning Coordinator
Waste Management Program

BERKS COUNTY SOLID WASTE AUTHORITY



633 Court St – 14th Floor SC
Reading, Pa. 19601
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Tony J. Sacco, Asst. Secretary
Brian Clements
John Bradley, Esq.
Charles Jones, P.E.
Karen Feridun

December 19, 2013

NOTICE TO ALL MUNICIPALITIES:

Dear Municipal Official,

It is the intent of the Berks County Solid Waste Authority (the "Authority") to initiate a revision to the 2005 County Municipal Waste Management Plan. The existing 2005 Plan expires in December 2015. This Plan revision is required in accordance with the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101 of 1988), Chapter 25 Pa. Code - 272.252 (a) and (e).

The County Plan will be an Open Plan and will allow waste from within Berks County to be disposed of at any permitted facility, both in and outside of Pennsylvania. In addition, this Plan revision will not eliminate any recycling programs. The revised Plan will update only specific sections of the existing 2005 Plan which will expire in December 2015. The County has currently secured adequate solid waste disposal capacity through December 31, 2025, or ten (10) years from the date of adoption of the new revision to the Plan and final approval and acceptance thereof by the Pennsylvania Department of Environmental Protection, whichever is later. The plan document will list Plan benefits, and update demographic, waste generation and recycling information. Some chapters will not be changed.

The Solid Waste Advisory Committee (SWAC) has already been formed and will meet in the near future to provide input during the revision process. Once the draft Plan is complete, each municipality in Berks County will be provided a copy of that document and provided an opportunity to comment.

Sincerely,

Jane Meeks
Executive Director