

On June 1, 2023, at 10:02 am, the Keystone Chapter of SWANA Board of Directors Meeting was called to order by **Ms. Wessels**. Meeting was virtual. Those in attendance were:

<b>Officers</b>	<b>Board of Directors</b>		<b>Committee Chairs, Members, Visitors</b>
Denise Wessels	Dan Brown	Scott McGrath	Chanda Martino
Scot Sample	Brandon Comer	Elisabeth Osborne	
Ashley Dobak	Dan Fellon	Scott McGrath	
	Skip Garner	Chuck Raudenbush	
	Jill Hamill	Carolyn Witwer	

Not present: Mike Brubaker, Michele Nestor, Chris Toevs, Bob Watts

### **SECRETARY'S REPORT**

**Ms. Dobak** presented the minutes from the May 4, 2023, Board of Directors Meeting.

A motion was made by **Mr. Sample** to approve the minutes with the no edits recommended. **Ms. Witwer** seconded. Vote was called; the motion passed unanimously.

The May 4, 2023, Board of Directors Meeting minutes are attached and hereto made part of the minutes.

### **TREASURER'S REPORT**

**Ms. Martino** presented the Treasurer's Report.

A motion was made to approve the Treasurer's reports and transactions for May 1, 2023 through May 29, 2023 and May Business Manger invoice, as presented. Motion made by **Mr. Raudenbush** and seconded by **Mr. Garner**. Vote was called and motion passed unanimously.

The Treasurer's Report and Business Manager invoice are attached and hereto made part of the minutes.

### **COMMITTEE REPORTS**

#### **Advisory Board & Safety**

**Ms. Osborne** agreed to run for Advisory Board Member again and will inform SWANA International.

#### **Articles & Bylaws**

No report.

#### **Communications & Newsletter**

No report.

#### **Legislative & Policy**

**Mr. Raudenbush** thanked the Board for the thoughts and prayers following his surgery. As the House is a democratic majority, they are introducing several bills but they are unlikely to pass.

**Ms. Wessels** and **Mr. Sample** sent a letter requesting an exemption for PFAS for municipal authorities. The letter is attached and hereto made part of the minutes.

#### **Membership & Marketing**

No report.

#### **Personnel & Nominating**

**Ms. Dobak** asked if current directors will be rerunning in the next election. **McGrath, Fellon, and Raudenbush** will all be running again.

## Fall Conference

Registration has opened with a solid response. Early exhibitors and sponsors are registering steadily.

## Mini-Tech Seminars

There are two mini-technical seminars coming up. June 20 at Lanchester Landfill and July 18 at Rolling Hills Landfill. Online registration is open for both events.

## Road-E-O

2023 Mid-Atlantic Regional Road-E-O was held in Cecil County, Maryland on May 13, 2023. Check the website for a list of winners.

## Scholarships

**Mr. Brown** presented the committee's recommendations for the 2023 Scholarship recipients. A motion to approve distribution of a total of \$6,000, as recommended in submitted report was made by the Scholarship Committee. Motion was made by **Mr. Comer** and seconded by **Ms. Witwer**. Vote was called and the motion carried.

The Scholarship Committee recommendations are attached and hereto made part of the minutes.

## Young Professionals

The Young Professionals Committee plans to have a table at the Fall Conference.

## Strategic Planning

No Report.

## CHAPTER CALENDAR

### June 2023

- Thursday, 6/1, 10 am - **Board Meeting Conference Call**
- 6/1, Deadline for submittal of Grant H. Flint Scholarship recommendations to SWANA
- 6/2, Nominating Committee presents Slate of Officers and Directors for election
- 6/15, Deadline to submit newsletter articles
- **6/20, 10 am - GPS Technologies at the Landfill Mini-Technical Seminar, Narvon, PA**

### July 2023

- **No Board Meeting**
- 7/15, Deadline to submit newsletter articles
- **7/18, 10 am – Leachate Reduction Using Wind Defender Mini-Technical Seminar, Boyertown, PA**
- Wednesday 7/15, Article Deadline for Summer Edition of The Keystone

### August 2023

- Thursday, 8/3, 10 am - **Board Meeting Conference Call**
- 8/15, Deadline to submit newsletter articles

### September 2023

- **9/6 & 9/7, Annual Joint Fall Conference, Hilton Harrisburg**
- **9/7, Chapter Annual Business Meeting and Election** immediately following Fall Conference
- 9/15, Deadline to submit newsletter articles
- Chapter Fiscal Year Ends

**OLD BUSINESS**

No Old Business

**NEW BUSINESS**

No New Business.

**NEXT MEETING**

The next regularly scheduled meeting of the Keystone Chapter Board of Directors will be a virtual meeting on August 3, 2023, at 10:00 am. All members are welcome. There will be no July meeting.

**ADJOURN**

With no further business to address, a motion was made by **Mr. Garner** to adjourn the meeting. **Mr. Comer** seconded. A vote was called, and the motion passed unanimously at 10:31 am.

Respectfully Submitted,

Chanda Martino  
Business Manager

## Keystone SWANA Treasurer's Report

**MAY 2023**

Reviewed/Presented by Mike Brubaker, Treasurer  
Prepared by Chanda Martino, Business Manager

### **May 31, 2023**

1. Balance Sheet as of May 30, 2023.
2. Transaction Detail by Account May 1 through May 30, 2023
3. May Business Manager timesheet and invoice

A **MOTION** is requested to approve the Treasurer's Reports, all transactions May 1 through May 30, 2023, and May Business Manager invoice, as presented.

**Balance Sheet**

As of May 30, 2023

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	<u>May 30, 23</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
1003 · FCCB	56,658.64
1005 · Edward Jones	<u>53,085.65</u>
<b>Total Checking/Savings</b>	<u>109,744.29</u>
<b>Total Current Assets</b>	<u>109,744.29</u>
<b>TOTAL ASSETS</b>	<b><u>109,744.29</u></b>
<b>LIABILITIES &amp; EQUITY</b>	0.00

**PA Keystone Chapter of Solid Waste Association of N.America**  
**Transaction Detail Report**  
**May 2023**

05/31/23

<u>Date</u>	<u>Name</u>	<u>Memo</u>	<u>Split</u>	<u>Amount</u>
<b>May 23</b>				
05/01/2023		Mini-tech registrations	-SPLIT-	30.00
05/01/2023	Chanda Martino	March 2023 Business Manager	2000 · Accounts Payable	-1,137.32
05/01/2023	AffiniPay	merchant services fee - April 2023	7028 · Merchant Services Fees	-7.50
05/01/2023	AffiniPay	Merchant Services fees - April 2023	7028 · Merchant Services Fees	-7.50
05/03/2023		deposit	4151 · Half Day Mini-Tech Session	15.00
05/04/2023		Deposit	4151 · Half Day Mini-Tech Session	15.00
05/10/2023	Spoonfull of Comfort	get well gift	6600 · Expenses; Other	-92.39
05/15/2023		Deposit	4151 · Half Day Mini-Tech Session	25.00
05/15/2023		Member Dues - April 2023	4500 · Membership Dues	1,064.60
05/15/2023	SWANA Mid Atlanti...	Volunteer registration for C Martino for Ro...	5055 · Road-E-O Business Manager Labor	-30.00
05/22/2023	Best Western North...	Hotel for C Martino for Roadeo	5050 · Road-E-O Expense	-128.80
05/24/2023	Harland Clarke	Checks	6554 · Supplies	-34.05
05/26/2023		Deposit	-SPLIT-	3,875.00
05/30/2023		Deposit	-SPLIT-	5,865.00
05/30/2023		Deposit	-SPLIT-	2,790.00
05/30/2023		Deposit	4134 · Fall Conf. Attendee	220.00
<b>May 23</b>				<b>12,462.04</b>

**Pennsylvania Keystone Chapter of SWANA**

**Business Manager**

**MAY 2023**

Date	Mileage		General	Fall Conf	Roadeo	MiniTech	Total Hours
1-May	7.2	GLRA - mail, scholarships, roadeo registrations, email	1.5	0	1	0	2.5
2-May	0	email, scholarships, roadeo reservation, BOD meeting prep, monthly docs, finances	3	0	0.5	0	3.5
3-May	0	BOD meeting prep, monthly finances and reports, email	2.75	0	0	0	2.75
4-May	0	BOD meeting prep, BOD meeting, roadeo registration, meeting follow up	2.75	0	0.25	0	3
5-May	0	roadeo registration, email	0.25	0	0.25	0	0.5
8-May	0	roadeo email, roadeo invoices, newsletter, email, roadeo registrations	0.75	0	1	0	1.75
9-May	0	roadeo registrations, FC web page updates, FC registration prep, email	1	4.25	0.5	0.25	6
10-May	0	roadeo registrations, fall conference pre-opening prep, website updates	1.75	0.75	0.5	0	3
11-May	7.2	GLRA - mail, newsletter meeting w committee, roadeo registration, SWANA branding i	1	0	0.25	0	1.25
12-May	0	roadeo registrations, bank email, fall conference setup	0.25	1.5	0.5	0	2.25
15-May	0	FC exhibitor registration prep, nominations email, system settings, roadeo invoice	1.5	2	0.5	0	4
16-May	0	roadeo, Fall conference updates, website updates, prep for Fall Conference opening	0	4.75	0.5	0	5.25
17-May	0	fall conference prep, roadeo registrations and prep, Hootsuite setup for fall conferenc	1	2.75	0.5	0.5	4.75
18-May	82.3	Cecil County, MD - Roadeo	0	0	5.25	0	5.25
19-May	83.7	home from Cecil County, MD - Roadeo	0	0	10.5	0	10.5
22-May	0	nominations, fall conference registration prep, timesheet	2	1.5	0	0	3.5
23-May	0	membership questions, fall conference call, open registration	0.25	3.25	0	0	3.5
24-May	0	fall conference registration open and updated, process conference exhibitor registrati	0	4	0	0	4
25-May	0	fall conference registrations, BOD meeting prep, webpage updates, timesheet	4	1.5	0	0	5.5
26-May	7.2	GLRA - mail, BOD meeting prep, financial documents, packet preparation, timesheet	2.25	0	0	0	2.25
27-May	0	fall conference exhibitor emails, nominations	0.25	0.25	0	0	0.5

**187.6** Total Miles

Total Hours	26.25	26.5	22	0.75	75.5
	\$ 1,106.96	\$ 1,117.51	\$ 927.74	\$ 31.63	

TIME	\$ 3,183.84
MILEAGE	\$ 122.88
PHONE	\$ 60.00
INTERNET	\$ 30.00
<b>TOTAL</b>	<b>\$ 3,396.72</b>

1st QTD Hours	76.5	2.75	9.75	2	<b>91</b>
2nd QTD Hours	50.75	27.25	34	3	<b>115</b>
3rd QTD Hours	0	0	0	0	<b>0</b>
4th QTD Hours	0	0	0	0	<b>0</b>



**Bill To**

Pennsylvania Keystone Chapter of SWANA  
1610 Russell Road, Lebanon, PA 17046

**Date: 6/1/2023**

Description	Amount
Hours for May 1 - 29, 2023	\$3,183.84
Mileage	\$122.88
Phone	\$60.00
Internet	\$30.00
Total	<b>\$3,396.72</b>

Expenses	Amount
Total	

Total **\$3,396.72**



## Legislative Committee Summary and Status of Bills in the 2023-2024 Session

Updated 5/4/2023

HOUSE Bill Number, Sponsor, and Description	Status
<p><a href="#">House Bill 95</a>                      -Donna Bullock (D, Phila.)                      -Increase fines and penalties for littering and dumping                      -Reintroduced</p>	<p>Referred to <a href="#">JUDICIARY</a>, March 7, 2023                      Reported as amended, April 21, 2023                      First consideration, April 21, 2023                      Laid on the table, April 21, 2023</p>
<p><a href="#">House Bill 131</a>                      -Ryan A. Bizzarro (D, Erie)                      -Require removal of all political signs by the candidates and their campaigns within 10 days of the election                      -Reintroduced</p>	<p>Referred to <a href="#">JUDICIARY</a>, March 7, 2023</p>
<p><a href="#">House Bill 223</a>                      -MaryLouise Isaacson (D, Phila.)                      -Increase Recycling Fee from \$2 per ton to \$5 per ton on waste                      -Reintroduced</p>	<p>Referred to <a href="#">LOCAL GOVERNMENT</a>, March 8, 2023</p>
<p><a href="#">House Bill 427</a>                      -Kristine C. Howard (D, Chester)                      -Repairability Index for Electronic Devices requiring manufacturers to rate and display repairability and longevity                      -Reintroduced</p>	<p>Referred to <a href="#">CONSUMER PROTECTION, TECHNOLOGY AND UTILITIES</a>, March 15, 2023</p>
<p><a href="#">House Bill 470</a>                      -Tim Briggs (D, Montgomery)                      -Ban foam takeout food and beverage containers                      -Reintroduced</p>	<p>Referred to <a href="#">ENVIRONMENTAL RESOURCES AND ENERGY</a>, March 16, 2023</p>
<p><a href="#">House Bill 594</a>                      -Melissa Shusterman (D, Chester)                      -Increasing the Maximum Fines for Littering                      -Reintroduced</p>	<p>Referred to <a href="#">TRANSPORTATION</a>, March 21, 2023</p>
<p><a href="#">House Bill 597</a>                      - Patty Kim (D, Dauphin, Cumberland)                      -Authorize counties that have recycling programs to collect a recycling and waste management fee of up to \$4 per ton county fee for restricted uses                      -Reintroduced</p>	<p>Referred to <a href="#">ENVIRONMENTAL RESOURCES AND ENERGY</a>, March 21, 2023</p>

## Legislative Committee Summary and Status of Bills in the 2023-2024 Session

HOUSE Bill Number, Sponsor, and Description	Status
<p><a href="#">House Bill 639</a>                      -Milou Mackenzie (R, Northampton, Lehigh, Montgomery)                      -Litterbug Education added to elementary school science curriculum                      -Reintroduced</p>	<p>Referred to <a href="#">EDUCATION</a>, March 21, 2023</p>
<p><a href="#">House Bill 791</a>                      -MaryLouise Isaacson (D, Phila.)                      -Combat catalytic converter theft by requiring additional steps before a transaction at the scrap yard.                      -Reintroduced</p>	<p>Referred to <a href="#">CONSUMER PROTECTION, TECHNOLOGY AND UTILITIES</a>, April 3, 2023</p>
<p><a href="#">House Bill 991</a>                      -Timothy R. Bonner (R, Mercer, Butler)                      -Landfill cannot be reopened or expanded if it is within 3 miles of the border of any municipality which has a population density of 1000 or more people per square mile.                      -Reintroduced</p>	<p>Referred to <a href="#">ENVIRONMENTAL RESOURCES AND ENERGY</a>, April 24, 2023</p>
<p><a href="#">House Bill 992</a>                      -Timothy R. Bonner (R, Mercer, Butler)                      -Landfill may not be located within 2,500 feet, measured horizontally, from an occupied dwelling                      -Reintroduced</p>	<p>Referred to <a href="#">ENVIRONMENTAL RESOURCES AND ENERGY</a>, April 24, 2023</p>
<p><a href="#">House Bill 1051</a>                      -Steven R. Malagari (D, Montgomery)                      -Ban the release of balloons into the atmosphere</p>	<p>Referred to <a href="#">GAME AND FISHERIES</a>, April 28, 2023</p>

## Legislative Committee Summary and Status of Bills in the 2023-2024 Session

SENATE Bill Number, Sponsor, and Description	Status
<p><a href="#">Senate Bill 418</a>                      -Tracy Pennycuick (R, Montgomery, Berks)                      -Increase the limit on HHW matching funds that each county may receive from \$100,000 to \$250,000                      -Reintroduced</p>	<p>Referred to <a href="#">ENVIRONMENTAL RESOURCES AND ENERGY</a>, Feb 21, 2023</p>
<p><a href="#">Senate Bill 455</a>                      -Cris Dush (R, Cameron, Centre, Clinton, Elk, Jefferson, Mckean, Potter)                      - Placing Solar Panels on the Controlled Device Recycling Act List of Covered Devices                      -Reintroduced</p>	<p>Referred to <a href="#">ENVIRONMENTAL RESOURCES AND ENERGY</a>, March 14, 2023</p>
<p><a href="#">Senate Bill 525</a>                      -Cris Dush (R, Cameron, Centre, Clinton, Elk, Jefferson, Mckean, Potter)                      -Relief from burdensome Right-To-Know Law requests by vexatious requestors                      -Reintroduced</p>	<p>Referred to <a href="#">STATE GOVERNMENT</a>, May 3, 2023</p>

## Legislative Committee Summary and Status of Bills in the 2023-2024 Session

### [Tracking the future of US recycling policy in Congress | Waste Dive](#)

FEDERAL Bill	Status
<p><a href="#">H.R.652 - Zero Food Waste Act</a>                      -Rep. Brownley, Julia [D-CA] (Introduced 01/31/2023)                      -EPA grants over ten years for projects that divert or prevent food waste, or gather data about food waste practices.</p>	<p>01/31/2023 Referred to the House Committee on Energy and Commerce</p>
<p><a href="#">S.179 - COMPOST Act</a>                      -Sen. Booker, Cory A. [D-NJ] (Introduced 01/31/2023)                      -Requires USDA to establish a competitive program to award grants and loan guarantees for projects that expand access to food waste composting.</p>	<p>01/31/2023 Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry</p>
<p><a href="#">S. 1189 Recycling Infrastructure and Accessibility Act</a>                      -Sen. Capito, Shelley[R-WV] (Introduced 04/19/2023)                      -Recycling infrastructure pilot program to offer grants between \$500,000 and \$15 million each for projects that make recycling services more accessible to rural and disadvantaged communities that do not have access to MRFs.                      -Reintroduced</p>	<p>04/26/2023 Committee on Environment and Public Works. Ordered to be reported without amendment favorably</p>
<p><a href="#">S.1194 Recycling and Composting Accountability Act</a>                      -Sen. Carper, Thomas [D-DE] (Introduced 04/19/2023)                      -Evaluate existing composting programs, collect nationwide recycling and composting data...                      -Reintroduced</p>	<p>04/26/2023 Committee on Environment and Public Works. Ordered to be reported without amendment favorably.</p>



Solid Waste Association of North America  
The Pennsylvania Chapter of SWANA

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May 25, 2023

Senator John Fetterman  
142 Russell State Office Building  
Washington, DC 20510

Dear Senator Fetterman:

We are writing to you as the Pennsylvania Chapter of the Solid Waste Association of North America (SWANA). Our chapter represents the solid waste industry, and more than 50 operating landfills in the state.

We are deeply concerned about Environmental Protection Agency's (EPA's) proposal to designate two polyfluoroalkyl substances (PFAS) compounds as "hazardous substances" under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA - the Superfund law). Absent relief from Congress, EPA regulation would replace CERCLA's "polluter pays" principle with a "community pays" model in which essential public services that passively receive PFAS in providing their respective health services, such as drinking water treatment plants, municipal wastewater treatment facilities, and solid waste landfills and composting facilities, and their customers and ratepayers could be held liable for significant costs associated with the cleanup of contaminated sites. The interdependence of these sectors also would be disrupted, leading to significant additional cost increases for communities. Furthermore, prudent and proactive solid waste landfills' overhead costs to address the expanded regulatory requirements and protect against potential liability, relative to PFAS, will also necessarily significantly increase disposal rates and would ultimately have to be passed along to the facilities' ratepayers.

Municipal and national associations representing communities and essential utilities have expressed their direct concern to EPA about the need for liability protection for landfills and other passive receivers. Although EPA has recognized that landfills and other passive receivers should not be liable under CERCLA, the agency has indicated that it has insufficient existing legal authority to shield these sectors from litigation by third-party litigants (e.g., manufacturers of products containing PFAS) seeking to reduce their own cleanup costs by naming essential public services as liable parties that contributed to site contamination.

If adopted, the result of the proposed rule is that Pennsylvania landfills may face costly liability under CERCLA even though they never produced, used, or marketed any products containing PFOA or PFOS. Any such costs would be passed on to Pennsylvania customers by way of increased rates for essential



**Solid Waste Association of North America  
The Pennsylvania Chapter of SWANA**

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disposal services. The same is true for the exorbitant cost of any attempt at treatment, the efficacy of which is questionable at the current level of technology.

We respectfully request that Congress step in and provide solid waste landfills and other passive receivers with a narrow exemption from liability if certain PFAS are designated as hazardous substances. We have attached a May 10, 2022 letter from SWANA to your committee (see Attachment 1) that further explains our concerns, including how your office can take action to avoid the unintended consequences on communities of CERCLA regulation.

Thank you for your time and consideration of this critical matter. We would be happy to provide further information or clarify any questions you may have.

Sincerely,  
Pennsylvania Chapter of SWANA

A handwritten signature in blue ink that reads 'Denise Wessels'.

Denise Wessels, PE, BCEE  
Chapter President

A handwritten signature in blue ink that reads 'Scot C. Sample'.

Scot C. Sample  
Chapter Vice-President

May 10, 2022

**Re: Relief for Municipal Solid Waste Landfills from CERCLA Liability for PFAS**

Dear Chairman Carper, Ranking Member Capito, Chairman DeFazio, Ranking Member Graves, Chairman Pallone, and Ranking Member McMorris Rodgers:

The municipal solid waste (MSW) management sector strongly supports the goal of addressing per- and poly-fluoroalkyl substances (PFAS) contamination and holding accountable manufacturers and heavy users of these compounds. We are concerned, however, that regulation under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) instead would assign environmental cleanup liability to essential public services and their customers. We therefore request that Congress provide MSW landfills and other passive receivers with a narrow exemption from liability if certain PFAS are designated as hazardous substances under CERCLA. Doing so would keep CERCLA liability on the industries that created the pollution in the first place.

**Context**

- Landfills neither manufacture nor use PFAS; instead, they receive discarded materials containing PFAS that are ubiquitous in residential and commercial waste streams. MSW landfills and the communities they serve should not be held financially liable under CERCLA for PFAS contamination, as landfills are part of the long-term solution to managing these compounds.
- Landfills are essential public services that are subject to extensive federal, state, and local environmental, health, and safety requirements. Further, MSW landfills are important to managing and limiting PFAS in the environment, as recognized by the Environmental Protection Agency (EPA) in its December 2020 draft Interim Guidance on the Destruction and Disposal of [PFAS] and Materials Containing [PFAS].
- **Just as certain airports are required by law to use firefighting foam containing PFAS, permitting authorities often require landfills to accept waste streams containing PFAS.**
- Most landfills rely on wastewater treatment facilities for leachate management. Wastewater and drinking water facilities increasingly rely on landfills for biosolids management and disposal of PFAS-laden filters. Efforts to address PFAS at MSW landfills and drinking water and wastewater facilities must avoid disrupting this interdependence among essential public services to communities.
- Landfill leachate typically represents a minor proportion of the total quantity of PFAS received at wastewater treatment facilities from all sources. PFAS manufacturers or users, by comparison, contribute PFAS at levels that can be orders of magnitude higher than landfills.

**Significant Economic Impacts**

- Removing PFAS from landfill leachate requires advanced treatment techniques which are prohibitively expensive. Estimated capital costs to implement leachate pretreatment at a moderate-sized landfill to the extent necessary to significantly reduce PFAS range from \$2 million to \$7 million, **with nationwide costs totaling \$966 million to \$6.279 billion per year** for the solid waste sector. Trace concentrations of PFAS nevertheless would remain in leachate following pretreatment, exposing landfills to CERCLA liability.
- Absent relief from CERCLA liability, manufacturers and heavy users of PFAS compounds will bring claims for contribution against landfills and other passive receivers, generating significant litigation costs. EPA's exercise of enforcement discretion will not insulate landfills from this litigation.

- These costs will be passed along to communities, water and wastewater treatment facilities, and biosolids management, all of which rely on the services of MSW landfills.

### **Broad Unintended Consequences**

- **CERCLA regulation will impel landfills to restrict inbound wastes and/or increase disposal costs for media with elevated levels of PFAS, including filters, biosolids, and impacted soils at Department of Defense facilities.** The mere prospect of regulation in this area is already disrupting the interdependence of the drinking water, wastewater, and solid waste sectors.
- Food waste compost may contain PFAS due to contact with PFAS-lined packaging materials. As a result, a CERCLA designation could result in communities diverting food waste from organics recycling programs, hindering federal, state, and local climate and waste reduction goals.
- Cost increases likely will have a significant disproportionate impact on low-income households that rely on the affordability of services that the solid waste sector provides.

### **Recommendation**

Although our sector is simultaneously pursuing “no action assurance” from EPA, the agency historically has been very hesitant to provide this relief given its policy that assurances should be given only “in extremely unusual cases.” As such, and acknowledging that EPA may have limited authority to act on our request, we recommend providing the following narrow exemption from CERCLA liability that affords relief to landfills and other passive receivers of PFAS<sup>1</sup>:

(a) **IN GENERAL.**—No publicly owned or operated community water system (as defined at 42 U.S.C. 300f), publicly owned treatment works (as defined at 33 U.S.C. 1292), or municipal solid waste landfill (as defined at 40 C.F.R. 258.2) shall be liable under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) for the costs of responding to, or damages resulting from, a release to the environment of a perfluoroalkyl or polyfluoroalkyl substance designated as a hazardous substance under section 102(a) of such Act that resulted from the discharge of effluent, the disposal or management of biosolids, the disposal of filtration media resin, or the discharge of leachate where such actions are in compliance with Federal or State law and all applicable permits.

(b) **EXCEPTION.**—Subsection (a) shall not apply with respect to any discharge described in such subsection that results from any gross negligence, willful misconduct, or noncompliance with any Federal or State law or permit governing the discharge of effluent, disposal or management of biosolids, disposal of filtration media resin, or waste disposal.

Thank you for your consideration of our request, and we look forward to continuing to partner with the federal government to ensure the safe and effective management of waste streams containing PFAS.

Sincerely,

National Waste & Recycling Association  
Solid Waste Association of North America

cc: Senate EPW Committee Members  
House T&I and E&C Committee Members

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<sup>1</sup> The exemption would not extend to underlying soil and groundwater contamination from a MSW landfill or to facilities other than MSW landfills that accept waste streams with elevated concentrations of PFAS.



**Mini-tech Committee Report  
June 2023**

**Scheduled Mini-techs/Training**

- June 20: GPS Technology in the Landfill, Lanchester Landfill, Narvon, PA (8 signups)
- July 18: Wind Defender and Landfill Construction, Rolling Hills Landfill, Boyertown, PA (5 signups)

**Planning Stages**

- TBD: Anaergia – Anaerobic Digestion

**Other ideas**

Lab Tour – Pace Analytical

Radiation Monitoring

Anaerobic Digester: Brubaker Farm Tour (Lancaster County), Reinhold Farm Tour (Juniata County) or City of Philadelphia digester, or Milton Sewer Authority?

Keystone SWANA Chapter Board of Directors:

The Keystone SWANA Chapter received four (4) applications for the Category I scholarship for graduating high school seniors that have been accepted for enrollment in a junior college, four-year college, or a university. The Keystone SWANA Chapter also received two (2) applications for the Category II scholarship for junior/senior year of undergraduate studies pursuing a degree in environmental science, environmental studies, engineering, or a major applicable to the field of solid waste or resource management.

All applications were submitted to the Keystone SWANA Chapter before or on the due date of May 1, 2023. Four committee members (Tom Lock, Denise Wessels, Bob Watts, and Dan Brown) evaluated all applications. An additional Keystone SWANA Member Scott Schoffner also reviewed the applications. The Category I applications were graded based on academics, community activities, and extracurricular activities. Lastly, each applicant was required to write a one-page discussion on the applicant's view on the roles of a solid waste management aspect in addressing an environmental issue currently in the news. The Category II applications were graded based on academics, relationship of studies to solid waste management, and other activities.

The results of the committee's recommendations are as follows for each applicant's percentage of the allocated scholarship funds:

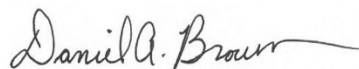
<b>Cat I Final Recommendations</b>	<b>Applicant</b>	<b>Scholarship %</b>	<b>Scholarship Amount</b>
1	Lance Smith	22%	\$1,300.00
2	Kyleigh Gradwell	20%	\$1,200.00
3	Adam Cooper	20%	\$1,200.00
4	Cadence Shuey	15%	\$900.00
<b>Cat II Final Recommendations</b>	<b>Applicant</b>	<b>Scholarship %</b>	<b>Scholarship Amount</b>
1	Nicholas Wigle	12%	\$700.00
2	Jacob Martino	12%	\$700.00
<b>Total</b>		<b>100.0%</b>	<b>\$6,000.00</b>

The committee determined that the six (6) candidates provided exemplary academics, community service, extracurricular activity, and current views of the solid waste industry to divide the total scholarship amount approved for 2023 as documented.

The committee is also excited that both Category II applicants were awarded Category I scholarships previously.

The committee determined that Lance Smith (Category I) and Nicholas Wigle (Category II) will be the two applicants that the Keystone SWANA will submit to SWANA for the National Competition.

Respectfully submitted,



Daniel Brown

Keystone SWANA Scholarship Committee Chair

**Pennsylvania Keystone Chapter SWANA  
FY 2022 – 2023 Calendar**

**June 2023**

- Thursday, 6/1, 10 am - **Board Meeting Conference Call**
- 6/1, Deadline for submittal of Grant H. Flint Scholarship recommendations to SWANA
- 6/2, Nominating Committee presents Slate of Officers and Directors for election
- **6/20, 10 am - GPS Technologies at the Landfill Mini-Technical Seminar, Narvon, PA**

**July 2023**

- **No Board Meeting**
- **7/18, 10 am – Leachate Reduction Using Wind Defender Mini-Technical Seminar, Boyertown, PA**
- Wednesday 7/15, Article Deadline for Summer Edition of *The Keystone*

**August 2023**

- Thursday, 8/3, 10 am - **Board Meeting Conference Call**
- Distribute Summer Edition of *The Keystone*

**September 2023**

- **9/6 & 9/7, Annual Joint Fall Conference, Hilton Harrisburg**
- **9/7, Chapter Annual Business Meeting and Election** immediately following Fall Conference
- Chapter Fiscal Year Ends