

# Siting a New Hazardous Waste Facility in PA



## How the PADEP's Application Process Works

The Pennsylvania Department of Environmental Protection (PADEP) has a two-step permitting process to build and operate a hazardous waste treatment facility in Pennsylvania. There are two stages of the permitting process known as Phase I siting/Part A and the Part B application, which includes additional siting information (i.e., Phase II siting).

On November 19, 2015, PADEP approved Elcon Recycling Center's Phase I – Part A application. This was the initial phase for siting Elcon's facility at Dean Sievers Place in the Keystone Industrial Port Complex, in Falls Township, Bucks County, PA. (A detailed description of Phase I/Part A is provided on back.)

The current focus is on Part B application, including Phase II siting information. It is anticipated to take a year or more to complete the numerous permitting/siting submittals and reviews. As part of the permitting process, PADEP reviews a number of important technical, environmental and social concerns. The Agency approves not only the design, operation and monitoring of the facility, but also the suitability of the site itself.

## Current Stage of Process: Phase II Siting and Part B Application

Completion of the Part B application and work to meet the Phase II siting criteria are pursued along a parallel path. Meeting the requirements of both involves a comprehensive 10-month review by PADEP of the facility's design, operation, financial responsibility, compliance history and closure plans. PADEP also identifies those environmental, social and economic factors that may affect the suitability of the location for a proposed facility. Unlike the "exclusionary" Phase I siting criteria, PADEP does not automatically reject a proposed facility if it does not satisfy all Phase II siting criteria. If any area of the application is deemed incomplete, applicants are given the opportunity to submit additional information to PADEP for further review of the site's overall suitability.

### Phase II Siting Criteria

PADEP evaluates each of the Phase II criteria individually, as well as the facility's overall compliance with permitting requirements. Phase II siting criteria that need to be evaluated and addressed in Elcon's application includes:

- **Land use:** Areas with known landslides and earthquakes.
- **Transportation standards:** Location of the site and transportation routes.
- **Public safety standards:** Police, fire and emergency services in area and site's proximity to community gathering places.
- **Economic criteria:** Analysis of impact on local economy, including how the facility will impact taxes and cost of services.

### Part B Application

Applicants are required to provide information covered by a comprehensive 200+ page checklist, including but not limited to:

- A description of the facility
- Waste characteristics
- Plans for waste analysis, contingency plans, hazardous prevention procedures
- Details on Elcon's process (containers, tank systems, misc. units)
- Facility closure, financial assurance (bonding) and insurance
- Certifications
- Control of air emissions from certain process equipment, tanks, containers and other equipment (valves, flanges, etc.)
- Summary of the Pre-Application Meeting

### Learn More About Elcon's Plans

We are working to get the facts about our project out to the community.

Please visit our website at [www.elconrecycling.com/usa](http://www.elconrecycling.com/usa)

Please call us at our  
Community Information Line  
**(855) 463-6364**

Email us at: [communityinfo@elconrecycling.com](mailto:communityinfo@elconrecycling.com)

## Public Input Will Continue to be a Part of the Process

In addition to the RCRA Pre-Application Meeting, PADEP is expected to hold multiple public meetings in the future. More information on PADEP meetings and hearings can be found directly on the PADEP website as that information becomes available. Within 30 days of the final decision, PADEP will host a public hearing to share with the public information on the facility's application and its draft decision on whether to deny or accept the application. The public comment period closes 15 days following the public hearing and then a final decision is reached by the PADEP.

## Background on Phase I Siting/Part A

In Phase I, PADEP is required to determine whether a proposed site conforms to the Phase I siting criteria within five months of receipt of a complete application. Phase I siting criteria look at technical concerns, as well as important environmental and social concerns. The site cannot be located on wetlands, public lands, Class I agricultural lands and agricultural security areas, exceptional value watersheds or national natural or historic places. Because Phase I criteria are "exclusionary," all criteria must be met or the application is excluded from further consideration.

Commercial hazardous waste landfills and land treatment or surface impoundment facilities also cannot be located in close proximity to public water supplies or oil and gas areas or areas with carbonate or limestone bedrock beneath. **This criterion did not apply to the Elcon pre-application.** The Elcon proposed Liquid Hazardous Waste Treatment facility is not a landfill, land treatment or surface impoundment.

A Phase I pre-application must also include a Part A hazardous waste site identification form that identifies the types of wastes that will be accepted and general information regarding treatment, storage and disposal methods to be used.

Since early 2015, the PADEP Siting Team reviewed the siting information for completeness. PADEP held a public information meeting in August 2015, a public hearing in September 2015 and a subsequent public comment period on the complete Phase I siting pre-application before making a decision on site's suitability. After the Agency determined that Elcon met the Phase I requirements, the permitting process continued to Phase II.

### Committed to Working With the Community

Elcon is actively seeking community engagement, and working to respond to concerns and input from the community. We remain committed to continuing our dialogue with the community, seeking input and incorporating it whenever possible into our plans.

#### Sources – Pennsylvania Department of Environmental Protection:

1) Commercial Hazardous Waste Facilities Phase I Siting Criteria Fact Sheet – <http://www.elibrary.dep.state.pa.us/dsweb/Get/Document-100729/2510-FS-DEP1963.pdf>

2) Commercial Hazardous Waste Facilities Phase II Siting Criteria Fact Sheet— <http://www.elibrary.dep.state.pa.us/dsweb/Get/Document-100727/2510-FS-DEP1964.pdf>