



July 22, 2024

**CERTIFIED MAIL NO. 9171 9690 0935 0108 1355 57**

Berks County Board of Commissioners

Christian Y. Leinbach, Commissioner, Chair  
Michael S. Rivera, Commissioner, Vice-Chair  
Dante Santoni, Jr., Commissioner

Commissioners Office  
Berks County Services Center, 13th Floor  
633 Court Street  
Reading, PA 19601

Re: Plan Revision Approval  
Berks County Municipal Waste Management Plan

Dear Commissioners:

Enclosed is a Plan Revision Approval for the Berks County 2024-2033 Municipal Waste Management Plan, Non-Substantial Plan Revision – revised May 2024. 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 Counties must implement the approved plan revision and comply with the conditions as set forth in the enclosed Plan Revision Approval document. 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 the action to the Environmental Hearing Board (Board) pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A. The Board's address is:

Environmental Hearing Board  
Rachel Carson State Office Building, Second Floor  
400 Market Street  
P.O. Box 8457  
Harrisburg, PA 17105-8457

TDD users may contact the Board through the Pennsylvania Relay Service, 800-654-5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at [www.ehb.pa.gov](http://www.ehb.pa.gov) or by contacting the Secretary to the Board at 717-787-3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

**IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT 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 AT 717-787-3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.**

**IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.**

If you have any questions concerning the plan revision approval, please call me at 717.705.6638

Sincerely,



Carrie A. Fleming  
Program Manager  
Waste Management Program

Enclosure

cc: Larry Holley – Manager, DEP Bureau of Waste Management, Division of Waste Minimization & Planning (via e-mail)  
Carrie A. Fleming – Program Manager, DEP Southcentral Region, Waste Management Program (via e-mail)  
Jane Meeks – Director, Berks County Solid Waste Authority (via e-mail)

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
WASTE MANAGEMENT PROGRAM

**Plan Approval**  
**Municipal Waste Management Plan Revision May 23, 2024**  
**for Berks County**

Date Issued: July 22, 2024

Under the provisions of the Municipal Waste Planning, Recycling and Waste Reduction Act of July 28, 1988, P.L. 556, 35 P.S. §§ 4000.101 - 4000.1904 (the Act), the Berks County Municipal Solid Waste Management Plan 2024-2033 Non-Substantial Revision revised May 23, 2024 is hereby approved. Berks County are 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 modification, amendment, and supplement by the Department of Environmental Protection (DEP). This approval is further subject to rescission by DEP for any violation of the applicable laws of 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.

  
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Program Manager  
FOR THE DEPARTMENT OF  
ENVIRONMENTAL PROTECTION

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
WASTE MANAGEMENT PROGRAM

**Municipal Waste Management Plan Approval**

County: Berks

Date Issued: July 22, 2024

**Plan Approval Conditions**

1. The County shall implement their plan, as revised by the plan revision received by DEP on May 23, 2024. Executed implementing documents shall be submitted to DEP within one year of plan approval in accordance with Section 513 of the Act.
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 and ratified 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 approval 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 period of the plan.