

March 16, 2005

Dear MCWC Member:

This letter is being distributed to all active and inactive members. As the president of the organization, I wanted to make sure that you were all aware that MCWC has been actively discussing a possible partnership with Resource Recovery LLC, the company that has proposed a landfill in Rush Township.

If you have attended any of our meetings over the past eight months, then you are already aware of this issue. If not, however, then I would like to bring you up to date on the issues that we have examined.

At our upcoming meeting (March 22), we will be voting on whether to enter into an agreement with Resource Recovery LLC (RR). This agreement will provide monies to the organization for as many as the next 45 years. These monies will be earmarked for cleaning up the watershed and could substantially benefit the local environment. According to our operating procedures, only active members may vote on this issue, but we encourage all to attend. Active members are those members who have paid their current dues by the end of the prior meeting.

We believe that there are a number of reasons why a relationship with RR makes sense. We also believe that there are a number of issues that must be acknowledged and overcome before we can possibly make any agreement. These issues are discussed below.

There are at least six reasons to support a relationship. These include funding, increasing our access to public funding, the ability to review future permits prior to submission, the possible use of RR equipment and expertise, access to RR lands, and abandoned mine drainage (AMD) research opportunities.

First and foremost, the primary benefit we receive from a relationship is funding for projects intended to clean up the water in the Moshannon Creek Watershed. Monies from Resource Recovery could be used for tasks that we are less likely to otherwise receive funding for (such as active treatment systems or operation and maintenance on systems funded by other grant programs such as Growing Greener. Current funding mechanisms for those tasks are minimal, if not non-existent.) The funding could also be used to leverage available grant monies. Indeed, there are some programs which provide grants but which require a match in excess of monies that we would otherwise have. For example, some construction grants require a 50% match. While a portion of earlier related grants might be able to be applied to this match, there would still be a sizeable amount of money that we would have to raise in order to provide the matching funds for these grants. To put the amount of funding into perspective, a passive treatment system for AMD would cost between \$250,000 and \$450,000. Raising \$125,000 to \$225,000 is simply beyond our abilities as an organization at this time.

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Another benefit to a relationship with RR is that they have expressed a desire to use our awareness and expertise as well as our opinions in the development of future permits. This means that we could participate in their permitting process prior to the documents being submitted to the Department of Environmental Protection (DEP). This should allow us to further encourage RR to take actions which are in the best interest of the watershed.

There may be instances where we can further benefit from a relationship by making use of RR equipment and expertise. This could reduce the cost of construction projects and further increase the benefits we can achieve in the watershed.

RR has already made arrangements to allow us on their property and has expressed a willingness to continue to do this in the future. They have also provided us with some of their research and have expressed an expectation of doing so in the future. They also encouraged us to try innovative treatment options on their site and to help them design their wastewater treatment plants to possibly treat AMD problems on their site.

While those benefits sound nice, what is the trade off? There are five issues that we have examined which we consider to be reasons not to enter an agreement with RR. These include public perception, increasing the likelihood of permit approval, possible future water quality issues, possible future air quality issues, and other possible social or environmental issues.

While it is hardly the most important issue, public perception is the most immediate concern which may suggest that we should not enter into an agreement. While it is hard to say what the prevailing sentiment truly is, the past public meetings with RR have made it painfully obvious that there are a number of very vocal and strongly-opinionated opponents to the creation of this landfill. If we enter into an agreement with RR, we are concerned that we will, at the very least, alienate these people, some of whom have an indicated interest in the environment and who would otherwise be our allies.

The primary concern is that if we enter into an agreement with RR we may help the permit become approved. How significant our role might be has been hard to ascertain. Some people believe that this landfill is already nearly certain; in this case, our participation is likely to have no effect. On the other hand, if the environmental benefits of the proposed landfill are not sufficiently in excess of the possible harms, then an agreement with us could make the difference in whether the permit is or is not approved. RR has expressed that their permit application will indicate that a certain amount of monies will be donated to help improve the environment. That will be one of their benefits. Ultimately, a specified recipient such as MCWC is likely to help DEP weigh the value of the dollars being set aside.

One of the issues which we were most concerned about is the possibility of future harm to the water table. The Environmental Protection Agency (EPA) has stated that landfill liners will fail. The concerns then relate to when the failure occurs and what the impact of the failure is. While we cannot say what this impact is, our research and discussions with RR have lead us to believe that this future unknown is likely to be less than the current AMD problems that exist. This is partly because RR has expressed an intention of recycling the leachate within each landfill cell up until the cell is capped. When the cell is capped, the leachate will be pumped out and will be treated in a treatment facility. This is particularly important to know because the recycling of the leachate will concentrate the harmful pollutants in this

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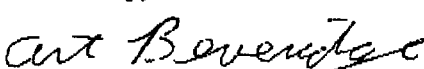
leachate and will remove them when the leachate is pumped out. Although this doesn't mean that there will be no pollutants left in the cell when it is closed, it does mean that those pollutants which are most likely to pose a long-term pollution risk will be substantially reduced before the liner fails.

RR had included an incinerator in their original plans. This is not in the current plan. While we do want to participate in the review and analysis of any future expansions, we don't see how that should affect the decision of whether we are willing to enter into an agreement with them for their current project.

The impact that a landfill and all of its associated activities has on the environment is an issue that we are concerned with. While we believe that many of the pamphlets that have been circulating lately are inflammatory and based on facts relating to landfills which are not subject to current regulations and operating requirements, we are still concerned that any decision we make does not result in a net negative effect on the environment. Our best efforts to date make us believe that RR will only be accepting materials which are not hazardous and which will not cause a net negative effect. However, any evidence received will continue to affect our decision.

We welcome your opinions as active members of the MCWC, and we invite you to attend the upcoming meeting to be held on Tuesday, March 22, 2005, at 7:00 p.m. in the Rush Township Municipal Building.

Sincerely,



Art Beveridge  
President