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February 7, 2007

Northcentral Regional Office

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CERTIFIED MAIL NO. 7006 2150 0003 5203 4662

Mr. E. B. Abel, Jr., President
Resource Recovery, LLC
3925 Columbia Ave.
P.O. Box 476
Mountville, PA 17554-0476

Re: Resource Recovery Landfill Application
Resource Recovery, LLC, I.D. No. 101685
APS No. 583150, Auth No 632293
Rush Township, Centre County

Dear Mr. Abel:

I have received your January 5, 2007, letter regarding the status of the Department of Environmental Protection's (the Department) review of your application for the proposed Resource Recovery landfill in Rush Township, Centre County. I hope this letter will answer your questions.

As the October 2, 2006, letter from David Garg, P.E., Facilities Manager, Waste Management Program, to you stated, your application was determined to be administratively complete. However, because the proposed I-80 interchange is integral to the siting of the proposed landfill, Mr. Garg's letter requested additional information regarding the interchange be submitted prior to proceeding with further review of the permit application. As the letter states, the Department's Phase I review cannot proceed until the issues surrounding the interchange are resolved. The letter went on to further state, that the Department's Phase I review will be suspended until Resource Recovery resolves the uncertainties connected with the Interstate 80 interchange and the wetlands issues raised by the Watershed Management Program.

On December 4, 2006, The Department received a response to our October 2, 2006, letter. This letter was submitted by ARM Group, Inc. (ARM) on your behalf. As part of the response, ARM's letter addressed the question regarding the anticipated length of time to obtain approval and where Resource Recovery's request is in the administrative process. ARM's response included as an attachment, a letter from Rettew Associates, Inc., in which these questions were addressed. Rettew stated that PennDOT had approved the Point -of- Access (POA) Study for the interchange and had forwarded the POA to the Federal Highway Administration (FHWA) for their review. At the time of ARM's letter, this was incorrect. While PennDot's Engineering District 2-0 had completed it's review and recommended forwarding the POA to the FHWA for review, the POA was not forwarded by PennDOT until December 14, 2006. Rettew's letter stated that it is a two-step process to gain approval from the FHWA. The first step is a conceptual approval. Following the conceptual approval, the National Environmental Policy

Act (NEPA) process occurs. As we have explained before, the interchange is integral to the siting of the proposed landfill. Traffic has a significant role in the Environmental Assessment review, which includes the Harms vs. Benefits review. At this time, the Department still feels there are uncertainties remaining with the approval of this interchange. The Department's Phase I review will remain suspended until Resource Recovery LLC can provide information that the FHWA has completed the NEPA process and approved the I-80 interchange.

Finally, to answer your question regarding the "DEP days" review time, the DEP alternate review time will be on hold until we receive the information that the FHWA has completed its conceptual review and the NEPA process and approved the I-80 interchange. While I understand your opinion that the review of the December 4, 2006, submission should be "on the clock", I disagree with it. Our original timeline negotiations during the LMIP meeting were made with the understanding that substantial information relating to the interchange would need to be contained in the application. Upon beginning the review of the application, it was determined that the uncertainties discussed above remained as to the approval of this interchange. As such, the additional information was requested and we have reviewed this information "off the clock".

If you have any questions or require further assistance, please call me at 570-327-3695.

Sincerely,

Robert C. Yowell.
Regional Director
Northcentral Region

cc: James Miller
Rush Township Supervisors
Centre County Commissioners
Kevin, Kline, P.E., District Executive, PennDOT 2-0
Bill Tafuto, P.E., ARM Group, Inc.
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