



February 27, 2023

**CERTIFIED MAIL NO. 7020 1290 0000 2445 6983**

Cumberland County Board of Commissioners

Gary Eichelberger, Commissioner

Jean Foschi, Commissioner

Vincent T. DiFilippo, Commissioner

Justin Miller

Cumberland County Recycling Coordinator

Cumberland County Conservation District – Recycling & Waste

310 Allen Road, Suite 201

Carlisle, PA 17013

Re: Plan Revision Approval

Cumberland County Municipal Waste Management Plan

Dear Justin Miller:

Enclosed is a Plan Revision Approval for the Cumberland County 2022-2032 Municipal Waste Management Plan, Non-Substantial Plan Revision - revised December 2022. This Plan Revision Approval authorizes Cumberland 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 County 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, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa. C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, telephone number 717.787.3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800.654.5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717.787.3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

Waste Management Program

Southcentral Regional Office | 909 Elmerton Avenue | Harrisburg, PA 17110-8200 | 717.705.4706 | F 717.705.4930  
www.dep.pa.gov

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD.

IMPORTANT LEGAL RIGHTS ARE AT STAKE, HOWEVER, SO 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 (717.787.3483) FOR MORE INFORMATION.

If you have any questions concerning the plan revision approval, please call me at 717.705.4860

Sincerely,

*Anthony L. Rathfon*

Anthony L. Rathfon  
Program Manager  
Waste Management Program

Enclosure

cc: Larry Holley – Manager, DEP Bureau of Waste Management, Division of Waste Minimization & Planning (via e-mail)  
Jessica Shilladay – Regional Planning & Recycling Coordinator, DEP Southcentral Region, Waste Management Program (via e-mail)

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
WASTE MANAGEMENT PROGRAM

**Plan Approval**  
**Municipal Waste Management Plan Revision December 2022**  
**for Cumberland County**

Date Issued: February 27, 2023

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 Cumberland County 2022-2032 Municipal Waste Management Plan Non-Substantial Revision revised December 2022 is hereby approved. Cumberland County is 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 or 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.

*Anthony L. Rathfon*  
Program Manager  
FOR THE DEPARTMENT OF  
ENVIRONMENTAL PROTECTION

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
WASTE MANAGEMENT PROGRAM

**Municipal Waste Management Plan Approval**

County: Cumberland

Date Issued: February 27, 2023

**Plan Approval Conditions**

1. The County shall implement its plan, as revised by the plan revision received by DEP on January 30, 2023. 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.