



**ATTACHMENT A**  
**To East Penn Township Notice of Appeal**



**pennsylvania**  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION

NORTHEAST REGIONAL OFFICE



March 23, 2018

Kevin Smeltz  
Synagro  
P.O. Box B  
1605 Dooley Road  
Whiteford, MD 21160

Re: 30 Day Notice Approval  
Cunfer Farm  
East Penn Township, Carbon County

- WMGR-099 PAG 08-2211 PAG 08-3565
- PAG 07-3508 PAG 08-3506 PAG 08-2203
- PAG 07-0003 PAG 08-3522 PAG 07-0005
- PAG 08-0008 PAG 08-3515 PAG 08-0003
- PAG 08-3501 PAG 08-3825 PAG 08-0004
- PAG 08-0002 PAG 08-9904 PAG 08-3535
- PAG 08-9601 PAG 08-3547 PAG 08-0005
- PAG 08-3551 PAG 08-0006 PAG 08-3518
- PAG 08-9909 PAG 08-3540 PAG 08-9905
- PAG 08-9903 PABIG -9903 PAG 08-3556
- PAG 08-3596 PAG 08-3567 PAG 08-0018
- PAG 08-3510 PAG 08-3600 PAG 08-3573
- PAG 08-3597 PAG 08-3605 PAG 08-0021
- PAG 08-2219 PAG 08-0011 PAG 08-3610
- PAG 08-3568 PAG 08-3611 PAG 08-2223
- PAG 08-0016 PAG 08-0022 PAG 08-0023
- PAG 08-3614 PAG 08-2224 PAG 08-3504
- PAG 08-0007

Dear Mr. Smeltz:

This office received the 30 Day Notice submitted by Synagro for the Cunfer Farm on January 29, 2018. The Department has reviewed the administrative information submitted in support of the 30 Day Notice, along with a site visit on February 26, 2018, and we have determined that the farm is suitable for land application under the above-referenced permits and verified that you have complied with the applicable permit requirements for first-time land application. The Department has determined that the conservation plan is either not adequate or not implemented



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for the following fields F1 - F6 and F14A. The conservation plan must address all the gully erosion associated with these fields, if implementation of the plan does not adequately address the erosion then the plan should be updated prior to spreading treated sewage sludge on the above referenced fields. The soil pH is below 6.0 for the following fields H3, H5, H9, H10, H11, F5, F11, F12, F13, F15, F17, and F19. The soil pH must be above 6.0 prior to the first land application.

The Department will publish notice of this determination in the Pennsylvania Bulletin.

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, P.O. Box 8457, Harrisburg, PA 17105-8457, 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.

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 this matter, please call me at 570-830-3082.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Craven".

Timothy Craven  
Soil Scientist II  
Clean Water Program

cc: Carbon County Conservation District  
East Penn, Township