



Pennsylvania Department of Environmental Protection

909 Elmerton Avenue
Harrisburg, PA 17110-8200
December 15, 2005

Southcentral Regional Office

717-705-4927
FAX - 717-705-4930

CERTIFIED MAIL NUMBER 7002 2030 0007 9116 0978

Berks County Board of Commissioners
Ms. Judith L. Schwank, Chairman
Mr. Thomas W. Gajewski, Sr.
Mr. Mark C. Scott
Berks County Services Center - 13th Floor
633 Court Street
Reading, PA 19601-4310

RE: Plan Revision Approval,
Berks County Municipal Waste Management Plan
Revision

Dear Commissioners:

Enclosed is a Plan Revision Approval for the Berks County Municipal Waste Management Plan dated November 7, 2005. This Plan Revision Approval authorizes Berks County to proceed in implementing the approved plan 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 or comply with plan approval conditions is a violation of Section 1701 of the Municipal Waste Planning, Recycling and Waste Reduction 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, 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 thirty (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 of 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.

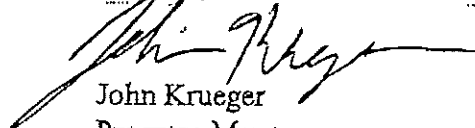


IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD.

IMPORTANT LEGAL RIGHTS ARE AT STAKE, HOWEVER, SO YOU SHOULD SHOW THIS 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.

Questions concerning the plan revision approval should be directed to Mark Vottero at 717-705-4927.

Sincerely,



John Krueger
Program Manager
Waste Management Program

Enclosure

cc John Ravert, Berks County
Dave Varone, Berks County

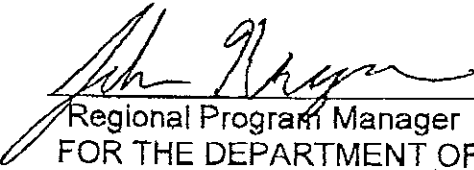
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF LAND RECYCLING AND WASTE MANAGEMENT

Plan Approval
Berks County Municipal Waste Management Plan Revision dated October 3,
2005 for Berks County

Date Issued: December 15, 2005

Under the provisions of the Municipal Waste Planning, Recycling and Waste Reduction Act of July 28, 1988, P.L. 556, 53 P.S. §§ 4000.101 – 4000.1904, (the Act), the Municipal Waste Management Plan Revision of November 7, 2005 is hereby approved. Berks 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.


Regional Program Manager
FOR THE DEPARTMENT OF
ENVIRONMENTAL PROTECTION

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF LAND RECYCLING AND WASTE MANAGEMENT

Berks County Municipal Waste Management Plan Revision Approval

County: Berks

Date Issued: December 15, 2005

Plan Approval Conditions

1. The County shall implement its plan, as revised by the plan revision received by DEP on November 7, 2005. Executed implementing documents shall be submitted to DEP within one year of this 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 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 approved 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.

SPECIAL NOTICES

**Plan Revision Approval under the Municipal Waste Planning, Recycling and Waste
Planning, Recycling and Waste Reduction Act of
1988,
Act 101**

*Southcentral Region: Waste Management Program Manager, 909 Elmerton Avenue,
Harrisburg, PA 17110.*

The Department of Environmental Protection (Department) approved the Berks County Municipal Waste Management Plan Revision on December 15, 2005.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa. C.S. §§ 501-508 and 701-704 (relating to the Administrative Agency Law), 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 Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, 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 decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

The plan revision is a public document and may be viewed at the Department Regional Office previously noted.

Questions concerning this approval should be directed to Sally Lohman, Chief, Waste Planning Section, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P.O. Box 8472, Harrisburg, PA 17105-8472 or to Mark Vottero, Regional Planning and Recycling Coordinator, Bureau of Land Recycling and Waste Management at the previous Regional Office.