DICKINSON TOWNSHIP,
CUMBERLAND COUNTY, PENNSYLVANIA

RESOLUTION 2024-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF DICKINSON TOWNSHIP, CUMBERLAND COUNTY, PENNSYLVANIA, URGING SUPPORT FROM OUR STATE LEGISLATORS, COUNTY COMMISSIONERS, DEPARTMENT OF ENVIRONMENTAL PROTECTIONS, PENNSYLVANIA GOVERNOR AND THE DEPARTMENT OF AGRICULTURE TO UPDATE REGULATIONS AND PROVIDE STRICTER GUIDELINES FOR THE USE OF FOOD PROCESSING RESIDUALS (FPRs).

AND NOW, this **15 ᵗʰ** day of January, 2024, the Board of Supervisors of Dickinson Township, Cumberland County, hereby makes the following Resolution to send to The Pennsylvania State Association of Township Supervisors, the Pennsylvania Department of Agriculture, the Pennsylvania Department of Environmental Protection (DEP), to the Pennsylvania State Legislators, and the Cumberland County Commissioners, as well as any other government agency the Dickinson Township Board of Supervisors directs (collectively the "*Government Parties*").

WHEREAS, Food Processing Residual Waste (the "*Waste*") is being used as an acceptable fertilizer to be spread on, and applied to, agricultural fields in Dickinson Township, as well as the greater Cumberland County area; and

WHEREAS, the Waste is being imported into Dickinson Township from locations outside Pennsylvania boundaries due to outdated minimum state regulations; and

WHEREAS, the accidental spills of the Waste on state and/or municipal public roadways creates a hazardous substance (as per DEP) which is a danger to anyone within the area impacted by the spill.

NOW IT IS HEREBY RESOLVED that the Board of Supervisors of Dickinson Township urge the Government Parties to update and adopt stricter regulations regarding Food Processing Residual Waste to protect the residents of Dickinson Township in general from the noxious odors created, as well as to protect the groundwater from pollutants and the air from noxious fumes, with updated regulations particularly required in the following areas:

1. Transportation of said Waste, in all forms but expressly including liquid form;

2. Clean up and remediation costs of Waste accidental spills which may require hazardous waste experts due to the nature of the Waste.

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3. Odor mitigation practices, tools, procedures, and implementation to assist residents to combat the noxious fumes caused by the Waste.

4. Regulations on how, when and where the Waste may be applied in relation to, and specifically with the proximity to, residential dwellings, wells and impacts.

5. Updated or revised regulations governing the amount of permitted application of the Waste to agricultural land, specifically including more stringent reporting and oversight requirements.

6. Regulations regarding the amount of Waste permitted to be stored based on the amount of land leased and/or used for Waste application (meaning regulations based on net spreadable area for Waste application, and not gross area (which would include area that is not subject to spreadable Waste application).

7. More comprehensive Testing of adjoining wells, waterways, soil and air quality by Waste haulers, distributors, producers, or those Applying the Waste.

8. Regulations for the Companies that produce the FPR Waste to mitigate the odor before it is transferred offsite.

9. Regulations to require DEP to perform testing to make sure that the Waste haulers, distributors, producers, or those applying the waste are in compliance.

10. Update current regulations to prohibit the use of FPRs in Pennsylvania entirely.

THIS Resolution has been reviewed and adopted by the Board of Supervisors of Dickinson Township on this_____15 th_____day of January 2024.

ATTEST:

Marjorie E. Bear

Marjorie E. Bear
Township Secretary

(SEAL)

TOWNSHIP OF DICKINSON

By: _____
Robert A. Kole, Chairperson

By: _____
Robert R. Line III, Vice Chairperson

By: _____
Jennifer D. DeGaetano, Supervisor

I, Marjorie E. Bear, Secretary for Dickinson Township, do hereby attest that the foregoing Resolution No. 2024-03 was voted upon and approved by majority vote of the Board of Supervisors on the 15th day of January 2024.

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