

# Board of Directors | Meeting Minutes

**DATE:** September 15, 2023

**TIME:** 7:30 a.m.

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## Attendance

**BOARD OF DIRECTORS:** Becker, Blowers, Deerin, Dzurik, Gordon, Rettew, Ulrich, and Weibel.

**STAFF:** Adams, Barnett, D. Brown, Devaney, Henderson (Legal Counsel), Manning, Marsh, Roy, Patzer, Sultzbaugh, Youngs, and Zorbaugh.

**BOARD OF DIRECTORS ABSENT:** Brubaker.

**ALSO PRESENT:** Dave Sharp from Covanta, Scott Snyder from Samaritan Consulting, and Cabell Kladky.

**NOTE:** This meeting of the Board of Directors was held in person and virtually. All individuals attending the meeting could hear, and be heard by, all other attendees.

## Opening

Chairperson Rettew requested a moment of silence followed by the pledge to the flag.

## Approval of Meeting Minutes

### Action Items

**1. BOARD ACTION NO. 1: APPROVAL OF MINUTES OF AUGUST 18, 2023**

Chairperson Rettew asked for any additions or corrections to the meeting minutes. Being none, a motion was requested to approve the Minutes of August 18, 2023, as distributed.

**Motion:** S. Dzurik

**Seconded:** J. Deerin

**Adopted:** Unanimously

## Public Comment

Chairperson Rettew requested to hold public comments until after the CEO report.

## Chief Executive Officer

Mr. Zorbaugh opened by providing a brief overview of the executive team reports, including an energy summary. In addition, Mr. Zorbaugh commented on a memo to the Board of Directors regarding the emergency purchase of a new panel for the oil cooler turbine at the SRMC facility. The new panel was ordered and is expected to be installed in the next few weeks.

Next, Mr. Zorbaugh presented information regarding the petition to amend a zoning ordinance in Manor Township as leadership continues to investigate the reuse of the Creswell Landfill site, including clarification on historic agreements, details on the purchase of the PP&L corridor, due diligence in exploring other possible landfill sites within Lancaster County, and the next steps in the process, including benefits and challenges, he noted two meetings held with the landfill neighbors on this topic, and a summary of public comments and concerns.

Mr. Zorbaugh presented background and historic information regarding the request to file a petition to amend the Manor Township zoning ordinance. General Counsel spoke to the specifics of the zoning ordinance text amendment, as well. In addition, the executive team answered questions from the Board.

Next, Chairperson Rettew invited public comments. Ms. Kladky asked about future requests concerning reuse of the Creswell landfill. General Counsel provided clarification about the limited nature of the current zoning text amendment request for the purpose of continuing evaluation of future landfill capacity. General Counsel noted that the exterior perimeter of waste placement in the Creswell landfill

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remains governed by the 1986 Zoning Hearing Board decision, the zoning ordinance, and the PALE agreement. Ms. Kladky expressed her concern that further requests for additional expansion of waste placement boundaries could be made in the future.

General Counsel introduced the resolution for Board consideration regarding the approval to execute and file a petition to amend the Manor Township zoning ordinance. A copy of the resolution is attached.

**2. BOARD ACTION NO. 2: MOTION TO ADOPT RESOLUTION NO. 2023-19: AUTHORIZING AND APPROVING EXECUTION AND FILING OF A PETITION TO AMEND THE MANOR TOWNSHIP ZONING ORDINANCE WITH THE BOARD OF SUPERVISORS OF MANOR TOWNSHIP AND AUTHORIZING RELATED ACTION CONCERNING FUTURE LANDFILL CAPACITY:**

Following additional questions from the Board, Chairperson Rettew asked for a motion to adopt Resolution No. 2023-19: authorizing and approving execution and filing of a petition to amend the Manor Township zoning ordinance with the Board of Supervisors of Manor Township and authorizing related action concerning future landfill capacity.

**Motion:** J. Deerin

**Seconded:** S. Dzurik

**Adopted:** Unanimously

## **Chief Financial Officer**

Mr. Youngs began with an overview of LCSWMA's financials for the month of August, including tonnage, revenues, expenses, net income and EBITDA. In addition, Mr. Youngs noted that there are favorable hedges in place helping to offset the lower wholesale electric rates. The cash outflow for the month was in part because of moving unrestricted cash to fund the collateral obligation related to post-closure Letters of Credit.

In speaking about the aforementioned impact of the SRMC turbine issue, Mr. Youngs reiterated steps taken to address the issue and recognized the waste planning department, facility management, the capital projects team, and Mr. Sharp from Covanta for their collaboration in resolving the challenge.

Next, Mr. Youngs provided details on cross-training staff, and commended Mr. Cutarelli and Ms. Patzer, as well as the Finance team's flexibility and willingness to learn.

Mr. Youngs informed that in the next week, LCSWMA will settle on the Tax Exempt Conversion on its Series 23 debt with Fulton Bank which was fully authorized by the Board earlier this year.

Lastly, Mr. Youngs fielded questions from the Board and introduced an action item for Board consideration and approval. A copy of the board action is attached.

**3. BOARD ACTION NO. 3: MOTION TO APPROVE AUGUST 2023 DISBURSEMENTS:**

Chairperson Rettew asked for a motion to approve August 2023 disbursements as distributed in the Board packet in the amount of \$8,171,433.05.

**Motion:** S. Ulrich

**Seconded:** J. Blowers

**Adopted:** Unanimously

## **Chief Operating Officer**

Mr. Adams provided details on the waste business outlook, mentioning cyclical and economically driven volumes, including an explanation of the average growth rate for our region over the past 25 years at one



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half of a percentage rate, which is a critical factor when proposing rates for the budget. Mr. Adams continued with a review of capital projects, mainly at the FFLF but also including the widening of the entrance at the TSC, as well as projects at the WTE and SRMC facilities.

Mr. Adams fielded questions from the Board before introducing an action item for Board consideration and approval. A copy of the resolution is attached.

**4. BOARD ACTION NO. 4: MOTION TO ADOPT RESOLUTION NO. 2023-20: AUTHORIZING AND APPROVING THE EXECUTION AND IMPLEMENTATION OF AN ADDENDUM TO THE TERMINATION AGREEMENT WITH BLUE PHOENIX INASHCO LANCASTER, LLC AND BLUE PHOENIX INASHCO NORTH AMERICA, INC.**

Chairperson Rettew asked for a motion to adopt Resolution No. 2023-20 to authorize and approve the execution and implementation of an addendum to the Termination Agreement with Blue Phoenix Inashco Lancaster, LLC and Blue Phoenix Inashco North America, Inc.

**Motion:** J. Blowers

**Seconded:** D. Becker

**Adopted:** Unanimously

## **Chief Business & Compliance Officer**

Ms. Marsh began with updates on a few items from the energy side, and the impact on revenue, as well as detail on trends.

Next, Ms. Marsh introduced Mr. Brown and noted his work to revise LCSWMA's objectives under the Environmental Management System (EMS) to better align with the revised strategic plan. Additionally, Ms. Marsh provided a review of safety and risk management, including reporting on an uptick in recordable incidents. Ms. Marsh noted continued collaboration between our managers in safety, operations and risk, coinciding with educational and training efforts on site conditions and procedures is ongoing to combat this unfavorable trend.

Ms. Marsh introduced a brief focus topic update on LCSWMA's Route 441 Safety Initiative. Ms. Marsh provided insight into the collaboration between LCSWMA and local police departments over the last six months to provide measurable improvement in traffic safety. Ms. Marsh explained a challenge with police staffing and time before improvements can be realized in certain hot spots. Ms. Marsh fielded questions and explained that there is no planned end date for the collaboration, and that fees paid to the local police are subsidized by the tarp penalty fees.

In conclusion, Ms. Marsh provided information regarding PA DOT Safety Inspections in which LCSWMA partners with State Police for vehicle inspections, including paperwork in the truck, truck weights and tire conditions. Ms. Marsh recognized Mr. Brown who has been instrumental in ensuring these inspections take place.

## **Adjournment**

Mr. Henderson, General Counsel, stated that an Executive Session would be held to discuss personnel and litigation matters, but no actions will be taken during or after the Executive Session. At the conclusion of the Executive Session, the Board Meeting adjourned at 9:39 a.m.

**APPROVED THE 20<sup>th</sup> DAY OF OCTOBER 2023.**



R. Edward Gordon, Treasurer

**RESOLUTION NO. 2023-19**

LANCASTER COUNTY SOLID WASTE MANAGEMENT AUTHORITY  
LANCASTER COUNTY, PENNSYLVANIA

**A RESOLUTION AUTHORIZING AND APPROVING EXECUTION AND FILING OF  
PETITION TO AMEND THE MANOR TOWNSHIP ZONING ORDINANCE WITH  
THE BOARD OF SUPERVISORS OF MANOR TOWNSHIP AND AUTHORIZING  
RELATED ACTION CONCERNING FUTURE LANDFILL CAPACITY**

**WHEREAS**, the Lancaster County Solid Waste Management Authority ("LCSWMA") is investigating the opportunities for future landfill capacity availability for the Lancaster County's integrated waste management system after the Frey Farm Landfill is no longer available, which is anticipated to occur around the year 2038, depending on various factors;

**WHEREAS**, one potential such opportunity is the reuse of the Creswell landfill and in order to investigate this opportunity (the "Creswell Reuse Investigation") it is appropriate to determine whether or not the former PPL corridor bisecting the Creswell landfill is available for the deposit of waste;

**WHEREAS**, an initial step in the Creswell Reuse Investigation is to file a Petition (the "Petition"); with the Board of Supervisors of Manor Township seeking amendment of the Manor Township Zoning Ordinance to make clear that the Ordinance does not prohibit use of the PPL corridor for landfill purposes;

**WHEREAS**, the proposed Petition is attached as Exhibit A and the Board of Directors of LCSWMA (the "Board") has reviewed the Petition and finds it to be in the best interests of LCSWMA, and the residents of the County of Lancaster; and

**WHEREAS**, if the Manor Township Board of Supervisors acts favorably upon the Petition, a subsequent step in the Creswell Reuse Investigation will be clarifying that the June 5, 1986 Manor Township Zoning Hearing Board Special Exception Decision No. 16-85 (the "1986 ZHB Decision") does not prohibit use of the PPL corridor for landfill purposes;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board, that Robert B. Zorbaugh, LCSWMA's Chief Executive Officer (the "CEO"), with the advice of LCSWMA's legal counsel, is hereby authorized and directed to take all actions which are necessary or appropriate to:

(a) file the Petition with the Board of Supervisors of Manor Township in the form attached as Exhibit A, with such changes as the CEO determines to be in the best interests of LCSWMA;

(b) take appropriate legal action to clarify the 1986 ZHB Decision; and

(c) take such further action as is appropriate to (i) continue the Creswell Reuse Investigation and (ii) also consider alternate opportunities to obtain future landfill capacity availability for the Lancaster County's integrated waste management system, which in the judgement of the CEO have a reasonable opportunity for success.



LANCASTER COUNTY SOLID WASTE  
MANAGEMENT AUTHORITY

By: \_\_\_\_\_

  
George W. Rettew, Chair,  
Board of Directors

**BEFORE THE BOARD OF SUPERVISORS OF MANOR TOWNSHIP  
LANCASTER COUNTY, PENNSYLVANIA**

**PETITION TO AMEND THE MANOR TOWNSHIP ZONING ORDINANCE**

**PETITION**

Pursuant to Section 425-131 of the Manor Township Zoning Ordinance (“Zoning Ordinance”), which Zoning Ordinance is codified at Chapter 425 of the Manor Township Code of Ordinances, the undersigned Petitioner respectfully petitions the Board of Supervisors of Manor Township to amend the Zoning Ordinance, and in support thereof states the following:

1. Petitioner is the Lancaster County Solid Waste Management Authority (“LCSWMA”), a Pennsylvania municipal authority, with an address of 1299 Harrisburg Avenue, Lancaster, Pennsylvania 17604.
2. Petitioner is the owner of certain property that was consolidated into a single tract of land located on the southwest side of River Road between Indian Marker Road and Letort Road as evidenced by a deed dated May 1, 2017 and recorded in the Lancaster County Recorder of Deeds Office at Document # 6331574 (“Property”). The total acreage of the Property is approximately 569 acres.
3. The Property is the location of LCSWMA’s landfill operations.
4. The Property, more specifically the Creswell Landfill, was previously bisected by a PPL Power Line Corridor (“Corridor”). In other words, the Corridor is surrounded by LCSWMA’s landfill.
5. LCSWMA acquired fee ownership of the Corridor in 2014 as evidenced by a deed dated March 6, 2014 and recorded in the Lancaster County Recorder of Deeds Office at Instrument # 6132955.
6. The Corridor contains approximately 17 acres and is approximately 150 feet in width.
7. In April of 2017, the Property was consolidated into a single tract of land as evidenced by a Lot Add-on Plan approved by the Township Board of Supervisors and recorded April 7, 2017 in the Lancaster County Recorder of Deeds Office at Instrument # 2017-105-J (“Lot Add-on Plan”). The Corridor was one of twelve parcels that was consolidated as part of the Lot Add-on Plan.
8. LCSWMA is now seeking to allow the possibility of incorporating the Corridor into future landfill operations at the Property and desires to secure any required zoning change to allow the placement of landfill materials within the Corridor if the other necessary approvals and permits are sought and secured.



9. The ability to use the Corridor for the placement of landfill materials would substantially extend the estimated life of the Creswell portion of LCSWMA's landfill.

10. The use of the Corridor for the placement of landfill materials would not result in either an extension of the exterior, perimeter footprint of the landfill or the placement of landfill materials closer to any adjoining properties. Stated differently, the use of the Corridor is an internal "infill" of the landfill.

11. To use the Corridor in this fashion, LCSWMA would have to secure all other required approvals, permits and agreements from various entities including, but not limited to, the Township, the Township Zoning Hearing Board and the Pennsylvania Department of Environmental Protection ("DEP"). This Petition is a preliminary step of this lengthy, multi-tiered approval process.

12. Section 425-105T. of the Zoning Ordinance states that "[n]o existing landfill shall be expanded beyond the original boundaries of the Lancaster County tax account parcel or parcels (the "landfill map parcels") upon which solid waste has been or is being deposited, regardless of whether the boundaries of the landfill map parcels are subsequently merged, changed, or otherwise altered." The Section further provides that January 1, 2016 is the cut-off date for the inclusion of merged parcels.

13. The language in Section 425-105T. could be read to preclude the placement of any landfill materials on the Corridor from a zoning standpoint even though such placement is only an internal infill of the landfill.

14. The placement of landfill materials within the Corridor would require permit approval from the DEP.

15. Section 425-105U. addresses the submission of an application to the DEP for either the expansion of an existing landfill or a new landfill as defined in the DEP regulations. As currently worded, this Section potentially prevents the placement of landfill materials on an interior parcel to the Creswell Landfill that is surrounded by previously landfilled property, which LCSWMA does not believe was the intent of Section 425-105U.

16. LCSWMA requests that Sections 425-105T. and 425-105U. be amended to allow landfilling to occur on a contiguous parcel to an existing landfill where the contiguous parcel is an interior parcel surrounded by a landfill and where inclusion of the contiguous parcel in the landfill will not extend the exterior perimeter footprint of the existing landfill.

17. The proposed modifications to Sections 425-105T. and 425-105U. are as follows, with the new, proposed language being underlined:

Section 425-105T. No existing landfill, whether in operation or closed, shall be expanded beyond the original boundaries of the Lancaster County tax account parcel or parcels (the "landfill map parcels") upon which solid waste has been or is being deposited, regardless of whether the boundaries of the landfill map parcels are subsequently merged, changed,

or otherwise altered, except to the extent the subject tract is an internal tract surrounded by a landfill and the tract's inclusion in the landfill use will not extend the exterior perimeter footprint of the existing landfill. No new landfill shall be located upon any Lancaster County tax account parcels contiguous (the "contiguous parcels") to the landfill map parcels of any landfill existing at the time the new landfill is located, whether or not the existing landfill is in active operation. For purposes of this Subsection T, the boundaries of the landfill map parcels, and the

boundaries of the contiguous parcels, shall be those boundaries existing:

- a) as of January 1, 2016, for existing landfills which first received a permit from the Pennsylvania Department of Environmental Protection ("DEP") on or before January 1, 2016; and b) as of the date a landfill first receives a permit from DEP for new landfills which first receive a permit from DEP after January 1, 2016.

Section 425-105U. In the event an expansion application is filed with DEP for an existing landfill, or in the event an application for a new landfill is filed with the DEP, the applicant shall prepare a plan delineating: a) the boundaries of the landfill map parcels on which such expanded or new landfill is located, and the boundaries of the contiguous map parcels; and b) the waste deposit setback lines required by Section 425-105B. In the event of an expansion or new landfill that will reuse all or portions of the footprint of an existing or closed landfill, a separate tract internal to the landfill boundary may be included and treated as part of the landfill map parcels, with the boundaries of the landfill map parcels, the contiguous map parcels and the waste deposit setback lines being adjusted accordingly.

The boundary and setback plan shall be included as an attachment with any Township permit application filed by the applicant with respect to any expanded or new landfill and shall be incorporated and recorded as a separate plan sheet in any subdivision or land development plan filed by the applicant with respect to any expanded or new landfill.

18. LCSWMA believes that it is appropriate to amend the text of the Zoning Ordinance as set forth above to permit an internal infill of a landfill for the following reasons:

- a. An internal infill of a landfill would not extend the exterior perimeter footprint of the landfill.
- b. An internal infill of a landfill would not result in landfill materials being placed any closer to adjoining properties.
- c. An internal infill of a landfill would be a continuation of the landfill use and existing operations.
- d. The infrastructure to support the internal infill of the landfill use is already in place due to the existing landfill operations.
- e. The internal infill of a landfill is a logical use of an internal parcel and would extend the useful life of the landfill with minimal impact to the surrounding community.



19. The proposed Ordinance to implement the amendment of the text of the Zoning Ordinance as described above is attached as Exhibit A to this Petition.

20. LCSWMA shall reimburse Manor Township for any additional attorney, engineering or advertising costs in excess of the filing fee incurred by the Township relating to this Petition.

WHEREFORE, Petitioner Lancaster County Solid Waste Management Authority respectfully requests that the text of the Zoning Ordinance be amended as set forth herein.

Respectfully submitted,

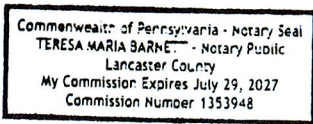
Lancaster County Solid Waste Management Authority

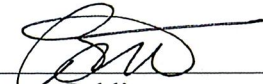
By: 

COMMONWEALTH OF PENNSYLVANIA )  
 ) SS:  
COUNTY OF Lancaster )

ON THIS, the 15<sup>th</sup> day of September, 2023, before me the subscriber, personally appeared George Rettew, who acknowledged himself to be Board Chairman of Lancaster County Solid Waste Management Authority, a municipal authority, and that being authorized to do so as such Chairman, executed the foregoing instrument for the purposes therein contained on behalf of the municipal authority.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.



  
Notary Public

**EXHIBIT "A"**  
**Proposed Ordinance**



**TOWNSHIP OF MANOR**

Lancaster County, Pennsylvania

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**ORDINANCE NO. \_\_\_\_\_**

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**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE TOWNSHIP OF MANOR, CHAPTER 425, ZONING TO ALLOW THE PLACEMENT OF LANDFILL MATERIALS ON A CONTIGUOUS PARCEL TO AN EXISTING LANDFILL WHERE THE CONTIGUOUS PARCEL IS AN INTERIOR PARCEL SURROUNDED BY A LANDFILL AND WHERE INCLUSION OF THE CONTIGUOUS PARCEL IN THE LANDFILL DOES NOT EXTEND THE EXTERIOR PERIMETER FOOTPRINT OF THE EXISTING LANDFILL**

BE AND IT IS HEREBY ORDAINED AND ENACTED, by the Board of Supervisors of the Township of Manor, Lancaster County, Pennsylvania, as follows:

**Section 1.** The Code of Ordinances of the Township of Manor, Chapter 425, Zoning, Article IV - Specific Criteria, Section 105T, - Landfills and Solid Waste Processing Facilities, is amended in its entirety to read as follows:

Section 425-105T. No existing landfill, whether in operation or closed, shall be expanded beyond the original boundaries of the Lancaster County tax account parcel or parcels (the "landfill map parcels") upon which solid waste has been or is being deposited, regardless of whether the boundaries of the landfill map parcels are subsequently merged, changed, or otherwise altered, except to the extent the subject tract is an internal tract surrounded by a landfill and the tract's inclusion in the landfill use will not extend the exterior perimeter footprint of the existing landfill. No new landfill shall be located upon any Lancaster County tax account parcels contiguous (the "contiguous parcels") to the landfill map parcels of any landfill existing at the time the new landfill is located, whether or not the existing landfill is in active operation. For purposes of this Subsection T, the boundaries of the landfill map parcels, and the boundaries of the contiguous parcels, shall be those boundaries existing:

- b) as of January 1, 2016, for existing landfills which first received a permit from the Pennsylvania Department of Environmental Protection ("DEP") on or before January 1, 2016; and
- b) as of the date a landfill first receives a permit from DEP for new landfills which first receive a permit from DEP after January 1, 2016.

**Section 2.** The Code of Ordinances of the Township of Manor, Chapter 425, Zoning, Article IV - Specific Criteria, Section 105U. - Landfills and Solid Waste Processing Facilities, is amended its entirety to read as follows:

Section 425-105U. In the event an expansion application is filed with DEP for an existing landfill, or in the event an application for a new landfill is filed with the DEP, the applicant shall prepare a plan delineating: a) the boundaries of the landfill map parcels on which such expanded or new landfill is located, and the boundaries of the contiguous map parcels; and b) the waste deposit setback lines required by Section 425-105B. In the event of an expansion or new landfill that will reuse all or portions of the footprint of an existing or closed landfill, a separate tract internal to the landfill boundary may be included and treated as part of the landfill map parcels, with the boundaries of the landfill map parcels, the contiguous map parcels and the waste deposit setback lines being adjusted accordingly. The boundary and setback plan shall be included as an attachment with any Township permit application filed by the applicant with respect to any expanded or new landfill and shall be incorporated and recorded as a separate plan sheet in any subdivision or land development plan filed by the applicant with respect to any expanded or new landfill.

**Section 3.** All other sections, parts and provisions of the Code of Ordinances of the Township of Manor shall remain in full force and effect, as previously enacted and amended.

**Section 4.** In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair any remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of the Board of Supervisors of the Township of Manor that such remainder of this Ordinance shall be and shall remain in full force and effect.

**Section 5.** This Ordinance shall become effective five (5) days after its enactment by the Board of Supervisors of the Township of Manor, Lancaster County, Pennsylvania as provided by law.



DULY ORDAINED AND ENACTED the \_\_\_\_ day of \_\_\_\_\_, 202\_, by the Board of Supervisors of Township of Manor, Lancaster County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF MANOR  
Lancaster County, Pennsylvania

By: \_\_\_\_\_  
(Vice) Chairman  
Board of Supervisors

Attest: \_\_\_\_\_  
(Assistant) Secretary

(TOWNSHIP SEAL)

LCSWMA  
CHECK AND WIRE DISBURSEMENTS LISTING  
Aug-23

CHECK #	PAYEE NAME	DATE	AMOUNT
PAYROLL	INOVA	Various	\$622,442.34
PENSION	EMPOWER	Various	\$112,390.39
EFT	BAMBORA EXPENSES (CONCUR)	8/3/2023	\$3,668.80
EFT	BANK FEE - CHECKING ACCOUNT	8/15/2023	\$1,960.42
EFT	COLUMBIA BOROUGH	8/29/2023	\$4,168.00
EFT	COVANTA ELECTRIC FEE HARRISBURG	8/30/2023	\$110,070.02
EFT	COVANTA ELECTRIC FEE LANCASTER	8/31/2023	\$230,680.93
EFT	COVANTA PROFILED WASTE	8/31/2023	\$4,912.66
EFT	COVANTA SERVICE FEE - HARRISBURG	8/30/2023	\$1,309,350.02
EFT	COVANTA SERVICE FEE - LANCASTER	8/31/2023	\$1,597,903.65
EFT	HIGHMARK - HSA	Various	\$9,177.96
EFT	MERCHANT PARTNERS	8/2/2023	\$663.48
EFT	WORLDPAY	8/9/2023	\$19,305.58
EFT	COVANTA CAPITAL EXPENDITURES - WTE TRANSFORMERS T2/T3 PROJECT	8/17/2023	\$159,963.47
EFT	COVANTA CAPITAL EXPENDITURES - WTE U3 BAGHOUSE WALLS UPGRADE	8/17/2023	\$156,847.54
EFT	COVANTA CAPITAL EXPENDITURES - WTE COMPRESSOR REPLACEMENT APC AREA	8/17/2023	\$105,555.89
EFT	COVANTA CAPITAL EXPENDITURES - SRMC FIRE PROTECTION PROJECT	8/17/2023	\$69,889.91
EFT	COVANTA CAPITAL EXPENDITURES - SRMC FIRE PROTECTION PROJECT	8/17/2023	\$61,237.00
1228491	A J BLOSENSKI INC	8/18/2023	\$16,602.46
1228511	AIRGAS USA, LLC	8/25/2023	\$61.27
1228448	AIRGAS USA, LLC	8/18/2023	\$808.02
1228372	AIRGAS USA, LLC	8/11/2023	\$57.10
1228273	AIRGAS USA, LLC	8/1/2023	\$74.30
1228536	ALBERT ROSTOLSKY RECYCLING	8/25/2023	\$570.00
1228415	ALBERT ROSTOLSKY RECYCLING	8/11/2023	\$125.00
1228306	ALBERT ROSTOLSKY RECYCLING	8/1/2023	\$320.00
1228534	ALS ENVIRONMENTAL	8/25/2023	\$162.00
1228472	ALS ENVIRONMENTAL	8/18/2023	\$2,910.60
1228388	ALS ENVIRONMENTAL	8/11/2023	\$9.60
1228334	ALS ENVIRONMENTAL	8/4/2023	\$2,354.52
1228288	ALS ENVIRONMENTAL	8/1/2023	\$2,524.32
1228523	AMAZON CAPITAL SERVICES, INC.	8/25/2023	\$978.38
1228460	AMAZON CAPITAL SERVICES, INC.	8/18/2023	\$1,421.72
1228382	AMAZON CAPITAL SERVICES, INC.	8/11/2023	\$214.12
1228323	AMAZON CAPITAL SERVICES, INC.	8/4/2023	\$915.78
1228345	AON RISK SERVICES CENTRAL, INC.	8/4/2023	\$1,218.00
1228396	APEX ADVERTISING INC	8/11/2023	\$34.00
1228357	ARM GROUP INC	8/4/2023	\$40,769.56
1228368	ASCENDANCE TRUCKS LEASING, LLC	8/4/2023	\$7,465.50
1228367	ASCENDANCE TRUCKS PENNSYLVANIA, LLC	8/4/2023	\$2,607.71
1228302	ASCENDANCE TRUCKS PENNSYLVANIA, LLC	8/1/2023	\$558.82
1228546	BFPE INTERNATIONAL INC	8/25/2023	\$1,525.00
1228404	BRENNEMAN INC	8/11/2023	\$1,464.27
1228369	BRIMMER LICENSE SERVICE INC	8/4/2023	\$83.00
1228550	CALL2RECYCLE, INC	8/25/2023	\$22.50
1228370	CALL2RECYCLE, INC	8/4/2023	\$85.50
1228371	CAPITAL REGION WATER	8/4/2023	\$96,011.79
1228316	CARDMEMBER SERVICE	8/1/2023	\$26,409.31
1228303	CAROL A. NISSLY	8/1/2023	\$1,000.00
1228501	CASELLA MID-ATLANTIC LLC	8/18/2023	\$19,211.28
1228551	CINTAS CORPORATION	8/25/2023	\$2,560.65
1228492	CINTAS CORPORATION	8/18/2023	\$974.82
1228412	CINTAS CORPORATION	8/11/2023	\$1,761.97
1228325	CINTAS CORPORATION	8/4/2023	\$990.32
1228321	CINTAS CORPORATION	8/1/2023	\$1,194.30
1228296	CITY OF LANCASTER	8/1/2023	\$884.13
1228437	CLEAN EARTH INC	8/18/2023	\$1,292.46
1228326	CLEVELAND BROTHERS EQUIPMENT CO., INC.	8/4/2023	\$117.78
1228503	COLLIFLOWER INC	8/18/2023	\$387.14
1228274	COLLIFLOWER INC	8/1/2023	\$25.77
1228548	COMCAST	8/25/2023	\$6,060.40



1228430	COMCAST	8/11/2023	\$137.13
1228275	COMCAST	8/1/2023	\$170.63
1228436	COMMONWEALTH CODE INSPECTION	8/11/2023	\$1,119.50
1228552	COMMONWEALTH OF PA	8/25/2023	\$60.00
1228509	COMMONWEALTH OF PA	8/18/2023	\$120.00
1228553	COMMONWEALTH PEST MANAGEMENT LLC	8/25/2023	\$325.00
1228373	COMMONWEALTH PEST MANAGEMENT LLC	8/11/2023	\$120.00
1228327	COMMONWEALTH PEST MANAGEMENT LLC	8/4/2023	\$150.00
1228493	COMPLEAT RESTORATIONS	8/18/2023	\$127.60
1228374	COMPUTER DESIGN & INTEGRATION LLC	8/11/2023	\$11,190.60
1228328	COMPUTER DESIGN & INTEGRATION LLC	8/4/2023	\$3,865.40
1228510	CONCUR TECHNOLOGIES INC	8/18/2023	\$1,202.78
1228329	CONNECT HOLDING II LLC	8/4/2023	\$166.84
1228507	CONOY TOWNSHIP	8/18/2023	\$61,161.21
1228375	COUNTY LINE QUARRY INC	8/11/2023	\$2,189.92
1228438	COVANTA ENVIRONMENTAL SOLUTIONS, LLC	8/18/2023	\$5,000.00
1228376	CROWN CASTLE FIBER LLC	8/11/2023	\$2,202.10
1228555	CRYSTAL SPRINGS	8/25/2023	\$1,099.32
1228377	CRYSTAL SPRINGS	8/11/2023	\$60.84
1228439	CYCLE CHEM	8/18/2023	\$16,935.10
1228378	CYCLE CHEM	8/11/2023	\$1,805.00
1228276	CYCLE CHEM	8/1/2023	\$15,722.75
1228495	DAVES ROLL OFF SERVICE	8/18/2023	\$23,012.71
1228512	DAVID MILLER/ASSOCIATES INC	8/25/2023	\$6,049.52
1228379	DAVIS LANDSCAPE LTD	8/11/2023	\$1,319.47
1228355	DEAN MARTIN	8/4/2023	\$10,741.72
1228277	DEERE COUNTRY	8/1/2023	\$1,954.69
1228440	DESIGN GROUP INTERNATIONAL	8/18/2023	\$550.00
1228513	DIXIE LAND ENERGY LLC	8/25/2023	\$23,463.95
1228441	DIXIE LAND ENERGY LLC	8/18/2023	\$23,922.94
1228380	DIXIE LAND ENERGY LLC	8/11/2023	\$2,509.48
1228330	DIXIE LAND ENERGY LLC	8/4/2023	\$22,853.15
1228514	DLT SOLUTIONS LLC	8/25/2023	\$1,676.90
1228381	DOCEO OFFICE SOLUTIONS LLC	8/11/2023	\$122.14
1228442	DONCIN TRANSPORT INC	8/18/2023	\$2,260.00
1228278	DONCIN TRANSPORT INC	8/1/2023	\$1,125.00
1228279	D-S PIPE & STEEL SUPPLY LLC	8/1/2023	\$240.00
1228515	DUST CONTROL TECHNOLOGY, INC.	8/25/2023	\$6,065.00
1228331	EHST SYSTEMS AND CONTROLS LLC	8/4/2023	\$3,877.94
1228281	ELIZABETHTOWN AREA SCHOOL DIST	8/1/2023	\$30,790.34
1228320	ELIZABETHTOWN BOROUGH	8/1/2023	\$31,350.00
1228450	EM HERR FARM & HOME CENTER	8/18/2023	\$30.00
1228393	EM HERR FARM & HOME CENTER	8/11/2023	\$40.45
1228289	EM HERR FARM & HOME CENTER	8/1/2023	\$76.94
1228332	EMAXX CENTRAL PA, LLC	8/4/2023	\$801.50
1228383	ENVIREP, INC.	8/11/2023	\$99,563.75
1228443	EPTURA	8/18/2023	\$15,923.33
1228444	FASTENAL COMPANY	8/18/2023	\$541.10
1228445	FASTSIGNS OF LANCASTER	8/18/2023	\$258.99
1228385	FISHER AUTO PARTS INC	8/11/2023	\$90.00
1228282	FOSTER GARVEY PC	8/1/2023	\$4,965.00
1228446	FREEHOLD CARTAGE INC	8/18/2023	\$1,250.00
1228333	FREEHOLD CARTAGE INC	8/4/2023	\$1,250.00
1228516	FREY LUTZ CORPORATION	8/25/2023	\$19,590.93
1228447	FREY LUTZ CORPORATION	8/18/2023	\$3,652.30
1228386	FREY LUTZ CORPORATION	8/11/2023	\$1,637.77
1228283	FREY LUTZ CORPORATION	8/1/2023	\$1,999.41
1228387	FRICKE HARDWARE	8/11/2023	\$29.08
1228284	FULTON FINANCIAL ADVISORS	8/1/2023	\$1,375.00
1228389	GARBER SCALE COMPANY	8/11/2023	\$1,290.00
1228517	GEORGE W KISTLER INC	8/25/2023	\$214.50
1228531	GLOBAL CONSULTING USA LLC	8/25/2023	\$1,850.00
1228335	GRAINGER, INC.	8/4/2023	\$954.75
1228390	GROUND PENETRATING RADAR SYSTEMS INC	8/11/2023	\$1,025.00
1228286	H B MCCLURE COMPANY	8/1/2023	\$558.75
1228449	HARBOR FREIGHT TOOLS	8/18/2023	\$76.97

1228518	HDR ENGINEERING INC	8/25/2023	\$626.00
1228287	HEMPFIELD SCHOOL DISTRICT	8/1/2023	\$10,203.69
1228285	HENRY D. HANK	8/1/2023	\$1,000.00
1228391	HENRY H. ROSS & SONS, INC	8/11/2023	\$4,648.90
1228392	HERC RENTALS INC.	8/11/2023	\$385.00
1228541	HH GRAPHICS INC	8/25/2023	\$111.50
1228422	HH GRAPHICS INC	8/11/2023	\$1,596.00
1228520	HIGHWAY EQUIPMENT & SUPPLY CO INC	8/25/2023	\$4,742.12
1228452	HIGHWAY EQUIPMENT & SUPPLY CO INC	8/18/2023	\$4,678.21
1228337	HIGHWAY EQUIPMENT & SUPPLY CO INC	8/4/2023	\$4,393.03
1228453	HILLYARD INC - LANCASTER	8/18/2023	\$211.58
1228395	IMAGEFIRST	8/11/2023	\$295.58
1228291	INSURANCE SERVICES UNITED INC	8/1/2023	\$3,750.00
1228292	INTERGOVERNMENTAL INSURANCE COOPERATIVE	8/1/2023	\$148,832.65
1228455	J C EHRLICH CO INC	8/18/2023	\$71.40
1228293	J C EHRLICH CO INC	8/1/2023	\$71.40
1228521	JG ENVIRONMENTAL	8/25/2023	\$1,140.00
1228456	JG ENVIRONMENTAL	8/18/2023	\$495.00
1228359	JG ENVIRONMENTAL	8/4/2023	\$235.54
1228338	JG ENVIRONMENTAL	8/4/2023	\$9,010.90
1228494	JOYLAND ROOFING	8/18/2023	\$1,711.73
1228457	JRT CALIBRATION SERVICES	8/18/2023	\$390.00
1228294	JRT CALIBRATION SERVICES	8/1/2023	\$8,625.00
1228458	KAUFFMAN'S SEPTIC SERVICE	8/18/2023	\$250.00
1228339	KEENAN NAGLE ADVERTISING INC	8/4/2023	\$404.51
1228524	KEN'S TRUCK REPAIR INC	8/25/2023	\$540.30
1228295	KEN'S TRUCK REPAIR INC	8/1/2023	\$2,323.50
1228462	KINSLEY CONSTRUCTION INC.	8/18/2023	\$227,700.00
1228318	KI-WE CLEANING	8/1/2023	\$1,000.00
1228399	LANCASTER AREA SEWER AUTHORITY	8/11/2023	\$53,584.05
1228526	LANCASTER AUTO PARTS(NAPA)	8/25/2023	\$47.90
1228463	LANCASTER AUTO PARTS(NAPA)	8/18/2023	\$51.24
1228397	LANCASTER STARTER & ALTERNATOR INC	8/11/2023	\$1,144.50
1228398	LANDYSHADE MULCH PRODUCTS	8/11/2023	\$90.00
1228299	LCTCB REAL ESTATE TAX GROUP	8/1/2023	\$59,726.82
1228400	LEADERSHIP LANCASTER	8/11/2023	\$2,350.00
1228340	LEADERSHIP LANCASTER	8/4/2023	\$3,000.00
1228401	LEAF	8/11/2023	\$2,327.00
1228527	LEASE SERVICING CENTER INC	8/25/2023	\$230,000.00
1228528	LESHER MACK SALES & SERVICE INC	8/25/2023	\$941.65
1228402	LEZZER LUMBER	8/11/2023	\$739.95
1228464	LH BRUBAKER APPLIANCES INC	8/18/2023	\$244.12
1228403	LINDA M. GLADFELTER	8/11/2023	\$825.00
1228360	LITITZ BOROUGH OFFICE	8/4/2023	\$6,951.91
1228319	LNP MEDIA GROUP INC	8/1/2023	\$483.44
1228529	LOWE'S	8/25/2023	\$571.33
1228465	LOWE'S	8/18/2023	\$1,980.93
1228341	LOWE'S	8/4/2023	\$1,498.74
1228466	LYTX INC	8/18/2023	\$45.00
1228467	MAHANTANGO ENTERPRISES INC	8/18/2023	\$1,556.52
1228361	MAN CONTRACTING INC	8/4/2023	\$873.43
1228547	MANHEIM HYDRAULICS LLC	8/25/2023	\$255.43
1228506	MANHEIM TOWNSHIP COMMISSIONERS	8/18/2023	\$17,639.06
1228300	MANHEIM TOWNSHIP SCHOOL DISTRICT	8/1/2023	\$16,641.25
1228508	MANOR TOWNSHIP	8/18/2023	\$115,192.53
1228301	MCI WORLDCOM	8/1/2023	\$54.67
1228468	MENDENHALL'S REFRIGERANT RECOVERY	8/18/2023	\$4,360.00
1228469	MESSICK'S	8/18/2023	\$21,292.48
1228470	MET-ED	8/18/2023	\$5,947.31
1228405	MILLER OPTICAL COMPANY, INC.	8/11/2023	\$189.00
1228473	MORRIS INDUSTRIES INC	8/18/2023	\$772.02
1228461	MOTOR TRUCK EQUIPMENT COMPANY	8/18/2023	\$779,217.00
1228342	NAPA OF HARRISBURG	8/4/2023	\$21.99
1228496	NEW HOLLAND BOROUGH	8/18/2023	\$3,600.91
1228474	NEW PIG CORPORATION	8/18/2023	\$1,378.53
1228343	NEW PIG CORPORATION	8/4/2023	\$3,891.16



1228406	NIKOLAUS & HOHENADEL LLP	8/11/2023	\$2,805.50
1228530	OTIS ELEVATOR COMPANY	8/25/2023	\$1,692.48
1228505	PA TURNPIKE COMMISSION	8/18/2023	\$1.50
1228344	PENN POWER GROUP	8/4/2023	\$2,825.66
1228407	PENN WASTE, INC.	8/11/2023	\$122,390.95
1228362	PENN WASTE, INC.	8/4/2023	\$50,983.38
1228363	PENWAY CONSTRUCTION	8/4/2023	\$177.77
1228475	PJM SETTLEMENT INC	8/18/2023	\$2.93
1228532	POWER-DRAULICS INC	8/25/2023	\$372.31
1228304	POWER-DRAULICS INC	8/1/2023	\$125.76
1228533	PPC LUBRICANTS, INC	8/25/2023	\$4,233.65
1228408	PPC LUBRICANTS, INC	8/11/2023	\$1,006.70
1228545	PPL ELECTRIC UTILITIES - ALLENTOWN	8/25/2023	\$1,080.66
1228535	PPL ELECTRIC UTILITIES - ST LOUIS	8/25/2023	\$2,820.24
1228410	PPL ELECTRIC UTILITIES - ST LOUIS	8/11/2023	\$5,438.89
1228305	PPL ELECTRIC UTILITIES - ST LOUIS	8/1/2023	\$1,093.76
1228346	PROVIDENCE ENGINEERING CORPORATION	8/4/2023	\$7,780.10
1228476	QED ENVIRONMENTAL SYSTEMS INC	8/18/2023	\$814.12
1228497	QUALITY DISPOSAL SERVICES	8/18/2023	\$1,148.15
1228478	R/W CONNECTION	8/18/2023	\$136.01
1228366	REPUBLIC SERVICES OF PA, LLC	8/4/2023	\$129,164.63
1228502	REPUBLIC SERVICES, INC.	8/18/2023	\$1,146.48
1228411	REPUBLIC SERVICES, INC.	8/11/2023	\$1,343.64
1228477	RESPOND FIRST AID SYSTEMS	8/18/2023	\$336.73
1228347	RESPOND FIRST AID SYSTEMS	8/4/2023	\$2,481.60
1228413	RKL LLP	8/11/2023	\$3,761.87
1228425	ROBERT K. SKACEL JR	8/11/2023	\$551.25
1228352	ROBERT K. SKACEL JR	8/4/2023	\$472.50
1228364	ROCK CAPITAL LLC	8/4/2023	\$2,767.77
1228414	ROGO FASTENER CO., INC.	8/11/2023	\$662.79
1228454	RS HOLLINGER & SON INC	8/18/2023	\$67.99
1228416	SAF-GARD SAFETY SHOE CO., INC.	8/11/2023	\$699.95
1228538	SCHAAD DETECTIVE AGENCY INC	8/25/2023	\$4,970.00
1228417	SCHEFFEY INC	8/11/2023	\$450.00
1228479	SCS ENGINEERS, PC	8/18/2023	\$6,928.25
1228348	SCS ENGINEERS, PC	8/4/2023	\$7,646.26
1228539	SECURITY ACCESS ETC	8/25/2023	\$11,135.00
1228540	SIDIUM SOLUTIONS, INC.	8/25/2023	\$5,000.00
1228418	SIDIUM SOLUTIONS, INC.	8/11/2023	\$4,748.80
1228419	SIKICH LLP	8/11/2023	\$2,200.00
1228307	SIKICH LLP	8/1/2023	\$380.00
1228420	SLAYMAKER RENTALS & SUPPLY CO	8/11/2023	\$1,913.08
1228498	SNYDER & MYLIN EXCAVATING	8/18/2023	\$416.81
1228480	SNYDER BROTHERS INC.	8/18/2023	\$10.51
1228308	STAPLES CONTRACT AND COMMERCIAL, LLC	8/1/2023	\$1,035.81
1228504	STEWART-AMOS EQUIPMENT CO	8/18/2023	\$516,940.00
1228481	STEWART-AMOS EQUIPMENT CO	8/18/2023	\$22.80
1228482	STRONG TOWER ENERGY PARTNERS LLC	8/18/2023	\$153.51
1228483	SUSQUEHANNA NATIONAL HERITAGE AREA	8/18/2023	\$7,083.33
1228499	TALCO HOME IMPROVEMENT LLC	8/18/2023	\$301.63
1228324	TERESA CARROLL	8/4/2023	\$100.00
1228421	THE BENECON GROUP	8/11/2023	\$39.97
1228500	TIGER TRASH	8/18/2023	\$1,970.72
1228423	TIGUNIA, LLC	8/11/2023	\$3,093.75
1228317	TIGUNIA, LLC	8/1/2023	\$787.50
1228384	TODD ESHLEMAN	8/11/2023	\$9,213.68
1228365	TOP OF THE LINE ROOFING	8/4/2023	\$187.39
1228349	TRANSTECK, INC.	8/4/2023	\$1,269.18
1228484	TRIANGLE COMMUNICATIONS INC	8/18/2023	\$4,869.00
1228424	TRIANGLE COMMUNICATIONS INC	8/11/2023	\$842.50
1228350	TRIANGLE COMMUNICATIONS INC	8/4/2023	\$206.00
1228351	TRUCK PARTS PLUS INC	8/4/2023	\$906.01
1228426	UGI CORPORATION	8/11/2023	\$5,590.72
1228309	UGI CORPORATION	8/1/2023	\$58.30
1228427	UGI ENERGY SERVICES LLC	8/11/2023	\$15,808.94
1228353	UGI ENERGY SERVICES LLC	8/4/2023	\$73,373.21

1228485	ULINE	8/18/2023	\$1,994.30
1228542	UNITED PARCEL SERVICE	8/25/2023	\$19.61
1228428	UNITED PARCEL SERVICE	8/11/2023	\$214.52
1228486	USI INSURANCE SERVICE LLC	8/18/2023	\$3,244.00
1228487	UTILITY KEYSTONE TRAILERS, INC	8/18/2023	\$1,150.59
1228431	VERIZON	8/11/2023	\$1,890.83
1228429	VERIZON	8/11/2023	\$267.04
1228310	VERIZON	8/1/2023	\$4,571.36
1228311	VISION BENEFITS OF AMERICA	8/1/2023	\$856.17
1228358	VLS LANCASTER, LLC	8/4/2023	\$113.58
1228549	VONAGE BUSINESS INC	8/25/2023	\$1,818.87
1228433	W. B. MASON CO., INC.	8/11/2023	\$270.48
1228432	WALTERS PORTABLE TOILETS	8/11/2023	\$351.54
1228312	WALTERS PORTABLE TOILETS	8/1/2023	\$1,353.78
1228313	WARIHAY ENTERPRISES INC	8/1/2023	\$15,300.00
1228488	WEAVER FLUID POWER, INC.	8/18/2023	\$194.35
1228314	WEAVER TURF POWER INC	8/1/2023	\$212.85
1228519	WILLIAM M. GROFF	8/25/2023	\$2,093.00
1228451	WILLIAM M. GROFF	8/18/2023	\$2,218.00
1228394	WILLIAM M. GROFF	8/11/2023	\$2,141.00
1228336	WILLIAM M. GROFF	8/4/2023	\$92.00
1228290	WILLIAM M. GROFF	8/1/2023	\$1,835.00
1228543	WINDSTREAM COMMUNICATIONS INC	8/25/2023	\$35.70
1228489	WINTER ENGINE-GENERATOR SERVICE, INC.	8/18/2023	\$1,941.03
1228544	YOE PARTS & EQUIPMENT INC	8/25/2023	\$1,877.00
1228490	YOE PARTS & EQUIPMENT INC	8/18/2023	\$796.16
1228434	YOE PARTS & EQUIPMENT INC	8/11/2023	\$963.54
1228354	YOE PARTS & EQUIPMENT INC	8/4/2023	\$997.84
1228315	YOE PARTS & EQUIPMENT INC	8/1/2023	\$740.70
1228435	YORGEYS FINE CLEANING	8/11/2023	\$32.00
			<hr/>
			<b>\$8,171,433.05</b>



**RESOLUTION NO. 2023-20**

LANCASTER COUNTY SOLID WASTE MANAGEMENT AUTHORITY  
LANCASTER COUNTY, PENNSYLVANIA

**A RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION AND  
IMPLEMENTATION OF AN ADDENDUM TO THE TERMINATION AGREEMENT  
WITH BLUE PHOENIX INASHCO LANCASTER, LLC AND BLUE PHOENIX  
INASHCO NORTH AMERICA, INC.**

**WHEREAS**, the Lancaster County Solid Waste Management Authority and Blue Phoenix Inashco Lancaster, LLC ("BPIL") and Blue Phoenix Inashco North America, Inc. ("INA") are parties to Termination Agreement dated March 17, 2023 (collectively the "Agreement");

**WHEREAS**, the parties have been working to implement the Agreement and certain additions and changes to the Agreement are appropriate; and

**WHEREAS**, it is appropriate for the Authority to enter into an Addendum to the Termination Agreement in the form attached to this Resolution as Exhibit "A" (the "Termination Agreement Addendum") with BPIL and INA;

**NOW THEREFORE BE IT RESOLVED**, by the Board of Directors of the Authority that (1) Robert B. Zorbaugh, the Authority's Chief Executive Officer (the "CEO"), acting alone, is authorized and directed, on behalf of the Authority, to: (a) execute: (i) the Addendum to the Termination Agreement with such changes as the CEO deems appropriate and in the interest of the Authority, and (ii) any and all documents in connection with the Termination Agreement Addendum, and (b) to take any and all actions the CEO believes necessary or appropriate to implement the Termination Agreement Addendum; and (2) all actions previously taken by the CEO in connection with matters related to the Termination Agreement Addendum are hereby ratified and approved.

LANCASTER COUNTY SOLID WASTE  
MANAGEMENT AUTHORITY

By: \_\_\_\_\_

  
George W. Rettew, Chair,  
Board of Directors

## TERMINATION AGREEMENT ADDENDUM

This Termination Agreement Addendum (this "Addendum") is made between and among the Lancaster County Solid Waste Management Authority ("LCSWMA") a Pennsylvania municipal authority, and Blue Phoenix Inashco Lancaster, LLC ("BPIL") a Delaware limited liability company, and Blue Phoenix Inashco North America, Inc. ("INA"), a Delaware corporation, as of the 15<sup>th</sup> day of September 2023.

Background: LCSWMA, BPIL and INA are parties to March 17, 2023, Termination Agreement and associated documents including a Bill of Sale. Except as specifically modified by this Addendum, capitalized terms used in this Addendum shall have the meaning set forth in the Termination Agreement.

The purpose of this Addendum is to set forth mutually agreeable additional or modified terms and conditions for the implementation of the Termination Agreement and Bill of Sale.

Intending to be legally bound, LCSWMA and BPIL agree as follows:

1. This Addendum shall take effect on September 15, 2023 (the "Addendum Effective Date").
2. The following language is added to paragraph 3 of the Termination Agreement:

"BPIL will retain (i) the Pallamill equipment for an additional payment of \$40,000 to LCSWMA and BPIL will retain all Facility equipment and all Facility equipment related structural steel (not the building structural steel) for an additional payment of \$30,000 to LCSWMA. The Pallamill equipment, all other Facility equipment and all Facility equipment structural steel (the "Additional Retained Equipment") shall be deemed included in the Retained Equipment set forth on Exhibit A and deemed deleted from the BPIL Bill of Sale. LCSWMA will retain the building structural steel and the electrical/plant wiring."

3. The following language is added to paragraph 6 of the Termination Agreement:

"Any obligations of BPIL under the Addendum, if not timely performed by BPIL, shall be performed by INA."

4. The following language is added to paragraph 13 of the Termination Agreement:

"BPIL will be responsible and pay for removal of the Additional Retained Equipment with the exception of the utility corridor/cable tray. LCSWMA will reimburse Blue Phoenix Inashco \$240,000 for removal costs of the Additional Retained Equipment, reduced by \$40,000 for the Pallamill obligation and \$30,000 for the equipment related structural steel obligation."



5. The net LCSWMA payment of \$170,000 shall be paid to BPIL on March 31, 2024 or such later date as BPIL has fulfilled all obligations under the Termination Agreement and the Addendum.

6. The following language is added to paragraph 14 of the Termination Agreement:

"The foregoing notwithstanding, the Retained Equipment removal/Facility closure deadline shall be extended to December 31, 2023. BPIL shall pay LCSWMA a fee of \$1,000 for each day after December 31, 2023 the Retained Equipment is not removed and/or the Facility not closed. BPIL may store the Retained Equipment on the Premises at a location to be determined by LCSWMA (not in the Facility) until March 31, 2024. BPIL will coordinate with LCSWMA to minimize disruption to LCSWMA's operations, including removing substantially all Retained Equipment at the same time. BPIL shall pay a fee of \$1,000 for each day after March 31, 2024 the Retained Equipment is not removed from the Premises. LCSWMA may deduct any fees arising under this paragraph 14 of the Termination Agreement from LCSWMA's obligations under paragraph 5 of the Addendum"

7. The following language is added to paragraph 15 of the Termination Agreement:

"On or before March 1, 2024, BPIL shall provide LCSWMA with BPIL calendar year 2023 financial statements, included a statement of income and expense and a balance sheet, plus full BPIL information as of March 1, 2024 regarding: (a) cash on hand , (b) the amount of additional proceeds received from the sale of metals product, (c) net proceeds from the sale of equipment to Volvo, (d) payroll expense, (e) Retained Equipment removal expense, (f) Facility cleaning expense, (g) other expenses incurred regarding compliance with the Termination Agreement, (f) capital contributions by INA, and (g) a copy of the executed contract with Greiner."

8. The following language is added to paragraph 17 of the Termination Agreement:


"This Termination Agreement Addendum has been presented for approval in a public LCSWMA Board meeting."


9. The following language is added to paragraph 21 of the Termination Agreement:

"All provisions of the Termination Agreement not specifically changed by the Addendum remain in full force and effect."

IN WITNESS WHEREOF, the parties hereto have caused this Addendum to be executed in duplicate by their representatives duly authorized as of September 15, 2023.

LANCASTER COUNTY SOLID WASTE  
MANAGEMENT AUTHORITY

Attest:   
Printed Name:  
Title:

By:   
Printed Name:  
Title:

BLUE PHOENIX INASHCO LANCASTER, LLC.

Attest: \_\_\_\_\_  
Printed Name:  
Title:

By: \_\_\_\_\_  
Printed Name:  
Title:

BLUE PHOENIX INASHCO NORTH AMERICA. INC.

Attest: \_\_\_\_\_  
Printed Name:  
Title:

By: \_\_\_\_\_  
Printed Name:  
Title: