FOR IMMEDIATE RELEASE

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Media Contact: Ted Evgeniadis – Lower Susquehanna Riverkeeper – 717-478-1780 – ted@lowsusriverkeeper.org

Lower Susquehanna Riverkeeper Notifies Modern Landfill of Clean Water Act Violations, Including Dangerous PFAS Contamination

Modern Landfill has violated its permit limits repeatedly since 2020 and has discharged high levels of dangerous PFAS chemicals without permit authorization

Wrightsville, PA — Today, Lower Susquehanna Riverkeeper sent a letter to Republic Services of Pennsylvania LLC notifying it that its Modern Landfill has repeatedly violated its water quality-based permit limits under the federal Clean Water Act for boron and osmotic pressure. In addition, the letter stated that Republic has, since at least June 2022, violated that statute by discharging toxic per- and polyfluoroalkyl substances (PFAS) from the landfill without a Clean Water Act permit authorizing those discharges. PFAS are dangerous chemicals that are widely linked to serious public health and environmental impacts.

Modern Landfill discharges leachate (which contains PFAS) into Kreutz Creek and has dramatically degraded water quality throughout the Creek and the Susquehanna River by discharging pollutants above its permit limits. In June, July, August and September 2022, Lower Susquehanna Riverkeeper took samples from Kreutz Creek above and below Modern Landfill’s discharge pipe. The measured PFAS levels were the worst overall among all samples collected by Waterkeepers at over 100 sites across the country.

In June 2022, PFOS and PFOA were measured at 374.3 parts per trillion (ppt) and 847 ppt, respectively, and 25 other PFAS compounds were also measured at very high levels. In comparison, in June 2022 the United States Environmental Protection Agency issued updated Drinking Water Health Advisories which set the public adverse health effect thresholds for PFOS at 0.02 ppt and PFOA at 0.004 ppt. The levels of PFOS and PFOA measured in the landfill’s discharges are 18,715 and 211,750 times higher, respectively, than the EPA guidance levels.

Since at least the 1950s, PFAS have been widely used in manufacturing and are found in many consumer, commercial, and industrial products. Often referred to as “forever chemicals,” PFAS do not break down over time. Instead, these dangerous chemicals accumulate in people, wildlife,
and the environment. As a result, PFAS have been found in surface water, air, soil, food, and many commercial materials. Scientific studies increasingly link these toxic chemicals to serious health conditions such as cancer, liver and kidney disease, reproductive issues, immunodeficiencies, and hormonal disruptions.

Modern Landfill continues to violate the Clean Water Act on a regular consistent basis. York County deserves better as the landfill has taken away the constitutional right for local residents and the public to safely recreate and fish around Kreutz Creek. The owners of the Landfill must be held accountable to the highest standards in effectively treating their wastewater and pay appropriate fines for violating the law.” said Ted Evgeniadis, Lower Susquehanna Riverkeeper. Lower Susquehanna Riverkeeper continues to sample Kreutz Creek on a monthly basis and is assessing levels of PFAS in individual residents’ wells throughout Lower Windsor Township, York County, PA.

After the 60-day notice period expires, Lower Susquehanna Riverkeeper intends to file a citizen suit in the U.S. District Court for the Middle District of Pennsylvania to require Republic to comply with Clean Water Act requirements at its Modern Landfill.

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The Lower Susquehanna Riverkeeper Association is a licensed Waterkeeper® organization dedicated to improving the ecological health of the Lower Susquehanna River Watershed and the Chesapeake Bay. The Lower Susquehanna Riverkeeper patrols the river for illegal pollution, and when necessary, enforces environmental laws to protect the river and communities that depend on it.

Public Justice is a national public interest advocacy organization that fights against abusive corporate power and predatory practices, the assault on civil rights and liberties, and the destruction of the earth’s sustainability. Public Justice specializes in connecting high-impact litigation with strategic communications and the strength of its partnerships to fight these abusive and discriminatory systems and win social and economic justice.