

**LOWER MIFFLIN TOWNSHIP
CUMBERLAND COUNTY, PENNSYLVANIA**

RESOLUTION NO. 2024-01

A RESOLUTION OF LOWER MIFFLIN TOWNSHIP URGING SUPPORT FROM OUR STATE LEGISLATORS, COUNTY COMMISSIONERS, DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE DEPARTMENT OF AGRICULTURE TO UPDATE REGULATIONS AND PROVIDE STRICTER GUIDELINES FOR THE USE OF FOOD PROCESSING RESIDUAL WASTE (FPRS).

AND NOW, this 2nd day of January 2024, the Supervisors of Lower Mifflin Township, Cumberland County, Pennsylvania, hereby make 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.

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

WHEREAS, the Waste is being imported into Cumberland County from locations outside Pennsylvania boundaries due to outdated minimum state regulations; and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 Supervisors of Lower Mifflin Township urge the Government Parties to update and adopt stricter regulations regarding Food Processing Residual Waste to protect the residents of Cumberland County in general from the noxious odors created, as well as to protect the groundwater and air from toxic 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 require hazardous waste experts due to the nature of the Waste;
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 relations to, and specifically with the proximity to, residential dwellings and impacts;
5. Updated or revised regulations governing in 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, 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; and
10. Update current regulations to prohibit the use of FPRs in Pennsylvania.

THIS Resolution has been reviewed and adopted by the Supervisors of Lower Mifflin Township on this 2nd day of January 2024.

**LOWER MIFFLIN TOWNSHIP
BOARD OF SUPERVISORS**

Brandi Lay, Township Secretary
Brandi Lay

By: Clinton E. Barrick
Clinton Barrick, Chairman

By: Franklin A. Oiler
Franklin Oiler, Vice Chairman

By: Jacob N. Fealtman
Jacob Fealtman, Supervisor